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the **ALTERNATIVE:** **AN AMERICAN SPECTATOR**



John Dean: Tales of a Chameleon
as told by Philip Terzian

James Q. Wilson: *Carter's great reform...* **James Grant:**
Homage to Walter Bagehot... **Feather River John** on
the Vanishing Hobo... **Naomi Decter** on **Bellow** in
Jerusalem... **John Chamberlain** on *Farrell's fiftieth.*

Vol. 10, No. 5 / February 1977 / One Dollar

THE CONTINUING CRISIS

■ *All is quiet, all is quiet, all is quiet.* From December 1 until this report went to press in mid-January, nary an instrument in the national cacophony stirred, save for a lonely bassoon sounding forlorn snatches of somber half-notes.

■ Washington has been empty, with our eminent Congressmen either off to foreign parts on official transcultural debauches, or discreetly ensconced at remote clinics throughout the Republic there to dry out. Screams of perdition are heard no more from the Wonderboy, now that he is the perditioner-elect; and he is quietly applying himself to the task of populating post-Fordian Washington or to learning those recondite matters once entombed in high school civics texts.

■ So who provides the wind for this bassoon? Surely not Gary Mark Gilmore. His days are spent fending off the ceaseless harassment of the American Civil Liberties Union, a cruel conspiracy of emotionally disturbed lawyers twice responsible for Mr. Gilmore's flummoxed essays into suicide. No, these melancholy lilt issue from President Gerald R. Ford, our lame *Anas platyrhynchos*. For two years he has served as soloist in Richard M. Nixon's Concerto for Bassoon, *Op. posth.*, an artistic event slapped with the banal and dashed with the macabre. The orchestra for the most part was composed of lunatics and scoundrels. The paying audience has generally abounded with nincompoops. And the composition itself has been improbable throughout. Yet Jerry struggled manfully.

■ True, he displayed not one moment of brilliance; it was conservatism at its most pedestrian and instinctive. Have recent Presidents overreacted to their critics? Then Jerry reacted not at all, not even to the incomparable Betty. Were other administrations full of gorgeous pretense? Jerry's was sober and businesslike, except, again, for Betty. The only breath of innovation came in Mr. Ford's domestic policy, and the pundits fell on him for it. His only really perilous policies were in foreign affairs, and the pundits applauded and rubbed their tummies. Of course most of his political moves were cloddish and ineffectual. His pursuit of the Presidency was a comic testimony to the hallucinogenic effect power has on all who live in Washington. In the end Jerry proved that the country can continue to hum even with a sensible mediocrity in the White House; it remains to be seen whether the country can survive the malevolent nitwits who sniffed at him and even now are laying their traps for the Wonderboy.

■ The first hard evidence supporting reformers' annual prophecies of the impending decline in Mayor Richard J. Daley's political power came on the afternoon of December 20 when the seventy-four-year-old political boss was pronounced officially dead, despite the

wishes of the Cook County Democratic Central Committee and the Chicago City Council. In Charleston, West Virginia, Mr. Harry G. Hoffman, the recently-retired editor of the *Charleston Gazette*, died a hero's death, a death all ritualistically liberal journalists dream of but only Harry managed to pull off. The sixty-five-year-old grumbler expired at his typewriter as he mercilessly pecked out a diatribe against none other than Governor-elect John D. Rockefeller, 4th. What a glorious day it was for old Harry! And the family mortician had hardly finished applying his arts when Mr. Rockefeller publicly regretted that "I never had a chance to tell him that I loved him as a person."

■ On December 13, a bald eagle was senselessly gunned down by unidentified assailants as he relaxed amongst the flora of Suffolk County, New York. Julia, the absurd thirty-year-old elephant residing in New York's Central Park Zoo, was "destroyed" after an Austrian veterinarian diagnosed her behavior as symptomatic of a "mental disorder" rather than an "uncommonly high intelligence," as earlier vets had insisted. The Cat's Meow, a Baltimore massage parlor zoned into extinction, has reopened as a sperm bank. Kurt Waldheim was re-elected UN Secretary General over the noisy candidacy of Mexican President Luis Echeverría Alvarez, one of the world's most repulsive politicians. And signs of a resurgence in support for ex-President Richard M. Nixon surfaced when *Good Housekeeping* magazine declared Pat Nixon the world's most admired woman. Furthermore a national poll of high school students revealed that hard-core Nixon supporters are far more prevalent amongst youth than had hitherto been suspected. Fully thirteen percent of the students polled believed that "the President is not required to obey the law."

■ As this dispatch goes to press, culture lovers remain ignorant of the huge loss suffered by the entire art world on December 11 when a dispirited genius, Mr. Emyr de Hory, took his own life on the famous isle of Ibiza. Mr. de Hory was the world's foremost art forger, a master so gifted that no appraiser could distinguish a de Hory from the original. Yet art buyers tried to avoid his works, while paying vast sums for the Chagalls and Matissees on which his works were based. Such a specious system of values often forced Mr. de Hory to pass off his creations as the works of acknowledged masters, if only to assure a living wage for himself and his American bodyguard, Mr. Mark Forgy. A Milan, Italy judge gave Mr. Luigi Serge Gorcy, an electrical firm personnel director, a one-month suspended jail sentence for asking a prospective woman employee questions the judge deemed "reactionary." And the Planned Parenthood Association of Chicago received a shock when Cook County

Jail officials judged as "too controversial" a contraception lecture intended for an audience of lady inmates, seventy-five percent of whom are prostitutes. The lecture is generally given to high school girls.

■ Apparently none of those Hollywood portrayals of the Israeli raid on Entebbe will be seen in Uganda. Field Marshal Idi Amin Dada, always somewhat of a neoplatonist, has made it a capital offense even to joke about the raid, and already two iconoclastic bar girls, who quipped that their boy friends were as aggressive as Israeli jets, have been put to the spear. On a happier note, the cultural marvels of Mr. Amin's booming republic will be displayed in the fifteen-story "Uganda House," a spectacular structure of glass and marble soon to be raised in New York City on the present site of Johnny's Kwick Check Parking Lot. Another manifestation of Mr. Amin's popularity with the world's oppressed came to light when Uganda Radio broadcast the news that 175 Hawaiians have asked Mr. Amin to liberate them and become King of Hawaii. The benevolent Field Marshal has promised to study the petition seriously and to take it up with U.S. colonial authorities soon. According to the broadcast, Mr. Amin has ruled out military liberation of the islands, sensing as he does that President-elect Carter shares more of Mr. Amin's world views than did the more backward Mr. Ford. Finally aesthetes can expect from the budding Schuberts of Zaire still more songs about death, water, and birds. Zaire has established an official song censor to scotch the seepage of Western decadence into that country's rich culture. Henceforth love songs will be *malum prohibitum*.

■ Back in America, antiwar superstars Mr. Daniel Ellsberg, Miss Joan Baez, and the Brothers Berrigan have grown skeptical about the state of civil liberties in unified Vietnam, and on December 20 they joined dozens of other hard-headed doves to fire off an eloquent letter of protest against alleged political intolerance in that great democracy. No response has yet been received by the protestors, causing renewed concern that the whole of Vietnam may have slipped back into the grasp of the heinous CIA. In Los Angeles Mrs. Gloria Laing was thrust into the slammer for violating a court order and shouting "Happy Easter, Connie" to her daughter. And in New York the once-hallowed First Amendment received another plucking when WABC's philosophical weatherman, Mr. Tex Antoine, was suspended for following up the news report of the rape of an eight-year-old girl with an observation he attributed to Confucius: "If rape is inevitable, relax and enjoy it"—but one more example of America's intolerance toward foreign cultures, no doubt. —RET

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Hoosier Cantos

The sanguine are saying that the turbulent sixties are behind us; we face a new era now. Welcome tidings these, but I am dubious. Few of yesterday's illustrious charlatans and busybodies have taken down their shingles. In fact some have actually enlarged them with new breakthroughs in quackery, and others like Ralph Nader are busily diversifying—safe automobiles, his first racket; safe ideas, his next. Still, as Jerry and his fabulous family abscond for the ski slopes and the Wonderboy opens his four-year soap opera, we are told that fresh winds caress the land. What they might bring remains the *pons asinorum* of the moment, and a hush has befallen the Republic. The pundits are giving the Wonderboy his honeymoon, and he, after squawking dizzily about impending catastrophe and promising nothing less than his Populist-Christian cure, now must divine something approximating a policy.

Well fair enough, and until he auspices his foolishness we at *The Alternative* will be good sports and refrain from noting his promises to scotch inflation, smite unemployment, bring in "newcomers," revamp the bureaucracy, never employ the likes of Cyrus Vance, and always tell the truth. As the Carter Administration tries on the moth-eaten robes of Camelot there will be no hoo-hahs heard from this quarter. Rather, this month I shall merely lay before you some of the random reflections that make me doubt we can soon shake the moonshine of the sixties. As I see it, we are steadily approaching the political and cultural greatness of Argentina, but that is another story.

Mayor Daley...apparently his life was a political tragedy of unparalleled dimensions. For twenty-two years he had governed the most prosperous and comfortable major city in America. I had thought his achievements in keeping Chicago civilized were even more impressive than his malapropisms, and he seemed to be one of the least noxious pols afflicting us. But oh, how I had misperceived the rogue. According to a documentary aired on the Public Broadcasting Service, life in Daley's Chicago was grimly suggestive of life in Schicklgruber's Germany. Furthermore, the *New York Times* obit forcefully implied that Daley exited for celestial parts but one step ahead of an army of government prosecutors, bill collectors, angry husbands, and enraged voters. The *Times* devoted fully 4 7/8 inches of column space to his accom-

plishments and 19 9/16 inches to his abominations. How he managed to get elected by 70% of the vote in 1971 and by 77% in 1975 staggers my speculative powers. Possibly the South Koreans were at work.

Justice...the sempiternal mirage of history's mischief makers. Always proclaimed as an urgent objective and an ultimate good, it has never been seen by the mortal eye, never been experienced save in legends or in good-government fantasies, and its zealous pursuit has cost mankind horrible suffering and loss. The world's greatest thinkers have proven it to be an absurdity, though fanatics like Dr. John Rawls keep popping up to hypothesize a new formula for it every few decades. Yet, notwithstanding the dubiety that surrounds it, there is no celebrated "Justice is Dead" movement, not even in the universities. Nor are any of our professional sophists very eager to champion such a movement. I know. I have suggested it to several at the Harvard Divinity School. The whole thing grows eerier the more one thinks about it. On the other hand pornography seems to be thriving in our supposedly rational era, and so long as there are gulls around to believe in the possibilities of endless couplings and volcanic ejaculations there is no reason to think people will perceive justice for the fraud it demonstrably is.

Liberalism...or at least that curious epidemic of vacuous rituals that so successfully made off with the term. Is it any wonder that the conscientious liberal so often prescribes coercion of his neighbor as the tool for social improvement? After all, he has often spent a lifetime coercing himself into accepting every contradictory new nostrum of liberal enlightenment, why not coerce others? The episodic political enthusiasms that violently take hold of the liberal's energies demand from him great personal discipline, for they are suggested by neither principle nor logic. Surely the liberal who once remonstrated against racial discrimination and who now hollers for busing and hiring quotas has had mercilessly to flog himself into subscribing to such contradictions. Once he viewed the black's "social disorganization" as a consequence of his origins in slavery, now his sages tell him it is racist to suggest that slavery hurt the black in any way. Yesterday liberals urged the rehabilitation of

criminals, today such rehabilitation is viewed as arrant imperialism. Once the world's oppressed peoples were all to be liberated, now only Chileans. The discordant goals of liberalism change with the season. Those who can coerce themselves into such a thicket of preposterousities will not scruple over coercing others.

This hollow zealotry which calls itself liberalism is really a denatured religion. Its influence within our government flies in the face of all our platitudes about the division of church and state. This ritualistic liberalism is a menace to liberty, made all the more dangerous because it lays claim to being the party of liberty. What friend of liberty would ever countenance the social experiments that our children are constantly forced to undergo in our school systems? First they are bused; then they are propagandized; always they are the guinea pigs of one or another of liberalism's utopian experiments. Yet all these high-minded tyrannies the so-called liberal piously accepts, for he is a dutiful member of the church. He is a votary who ceaselessly flails at his mortal flesh that he might discipline himself into submitting to each divinely revealed program for the New Age; let the heathen be boiled in oil if he too does not bow to the Holy Word of Liberal Humbug.

Women's Liberation...these women are angry! They have been denied the right to thrive as coal miners, steeplejacks, nuisance lawyers, and so forth. In America they are without status or influence. Of course a large grain of truth resides here, but the women of the fevered brow go too far when they blame "the forces of conservatism" for their lowly condition. It was not the conservatives or the establishmentarians who deauthorized American womanhood, but rather the liberators of this century's early years: the cosmopolitans, the champions of modernity, the forces of liberality and enlightened ways; and—truth to tell—they would have had my vote were I then up and about.

In 1921 Harold Stearns finished his preface to *Civilization in the United States* and vamoosed for Paris. The book was a compendium of essays characteristic of the dissenting intellectuals' grief-stricken diagnosis of bourgeois America. Philosophically disposed readers will be amused by it, for the progressive intellectuals of the twenties diagnosed America as suffering from about the same maladies that

(continued on page 39)



James Q. Wilson

Zero-Based Budgeting Comes to Washington

You remember ZBB—that government reform candidate Jimmy Carter promised. Here's how it will work.

Charles Pettypoint, the newly-installed efficiency expert in the White House, was eager to see at firsthand how Zero-Based Budgeting was working. He decided to drop in on an agency getting ready to use it, and selected the National Park Service in the Department of the Interior.

He arrived to find the entire senior staff of the Park Service seated around a big table. The Director seemed pleased to have so distinguished a visitor, and asked Mr. Pettypoint to explain ZBB to his aides.

"Well, the idea is to get the most out of the taxpayer's dollar by making sure that every cent we spend is justified."

Everybody around the table nodded. "Hear, hear," one said.

"What we do," Pettypoint continued, "is to assume that the agency—in this case, the Park Service—has no money at all and then..."

Murmurs of outraged disbelief erupted, but the Director silenced the room with a firm glare.

"As I was saying," Pettypoint went on, somewhat stiffly, "we then ask the Park Service to justify each dollar of its budget and every activity it carries out. You will have to show us how much of your product or service you can produce for a given amount of money."

Only after a pin dropped noisily to the floor did everyone realize how quiet the room had become. Two older Park officials had turned pale, and the hands of another began to shake uncontrollably.

"Justify *everything*?" the Director asked.

"Everything," Pettypoint replied.

"This year?"

"This year. In fact, within the next three months."

A long pause.

"Men," the Director finally said, "I think we ought to cooperate 100 percent with this splendid idea."

"Sir, you can't be serious..." An aide started to rise, but was waved back to his seat by the Director.

"Of course I am serious. Mr. Pettypoint is serious. The President of the United States is serious. We will all be serious."

"Here is what we will do," the Director continued. "Smith, you tell Senator Henry Jackson, the chairman of the Interior Committee, that we are considering what would happen if we closed all the national parks."

James Q. Wilson is Henry Lee Shattuck Professor of Government at Harvard. His most recent books are Political Organizations and Thinking about Crime.

"Even those in the state of Washington?" Smith asked incredulously.

"Especially those in Washington," the Director replied. "But stress to the Senator that it is just a mental experiment, a planning exercise. We probably won't *really* close any of the parks in his state."

Suddenly, a beatific expression of sudden enlightenment spread across Smith's face. "Gotcha, chief."

"Gorstwinkle, I want you to get right to work on making up a list of national parks in the order of their importance, so we will know which ones to leave open if we can't reopen all of them," the Director said.

Gorstwinkle started to giggle uncontrollably. "Right away. Of course, I won't be able to keep the list secret, chief. You know, Freedom of Information and all that..." He broke up in laughter.

"I understand," the Director replied, allowing a thin smile to crease his stern features. "Nothing's ever secret any more. I suppose the Sierra Club is bound to find out that we are thinking of closing Yellowstone."

"The Audubon Society will suspect that we might be cutting back on bird sanctuaries," someone remarked.

"Wait until the Daughters of the American Revolution finds out that we are..." the speaker gasped for breath, as he shook convulsively with laughter, "that we are analyzing whether it makes sense to leave Independence Hall open!"

Howls rang through the room. One man staggered to the drinking fountain, and another had to loosen his tie to avoid choking.

Pettypoint bristled. "You are not looking at this constructively."

"Oh, but we are, Mr. Pettypoint," the Director replied. "I firmly believe that, as a result of this ZBB exercise, the public will realize that we need more money for more parks."

"But that isn't the purpose," Pettypoint rejoined.

"Isn't it?" the Director asked innocently.

Smith, wiping his eyes, shouted: "Hey, Pettypoint, did you know that some of those women in the Garden Club can hit a moving White House staffer at twenty paces with a potted geranium?" He collapsed back in his chair, overcome with hilarity.

Crestfallen, Pettypoint said plaintively, "Well, maybe the Park Service is not the place to begin. I suppose ZBB would work best if applied to a program that didn't have this kind of organized public support."

The Director stared at him for a long moment.

"Name one."

□

Tom Bethell

Psycho Justice

Washington judges seem to have missed their true vocations as social workers or psychiatrists.

Not long after I arrived in Washington, D.C., about 18 months ago, I walked home at about eleven one evening, having refused the offer of a ride thoughtfully offered by my host, and I came across the *corpus delicti* of a recent crime: a body on the sidewalk covered by a sheet, police cars, whirling ambulance lights. Next day I read in the papers that the victim, who also had only recently arrived in the capital, and like me had been walking home alone, had been stabbed to death by an unknown assailant. I followed the case with a certain degree of fellow-feeling for the young man. A day or two later a suspect, Aubrey A. Dockery, 22, was charged with the crime.

Nothing much unusual so far, you must be thinking. Par for the urban course. But what happened next really did give me a jolt. After Dockery was arraigned and charged with first-degree murder, and his case set for trial a few months later, *the judge let the man back out on the street again*. I imagine the judge must have said something like: "We'll see you back here in February. Be good now." It turned out that Dockery had a prior conviction for possession of marijuana, that he had failed to show up in court once before, and that he had previously been arrested and charged with armed robbery, all unbeknownst to the judge. Following that, I began to accept rides home.

But the *Washington Post*, at least, was not particularly upset about the incident. "The desirability of jailing murder suspects is not so obvious as it might look at first glance," the paper editorially intoned a few days later. "The first and most important point [the editorial continued] is that Judge Newman and the prosecutor were both following the law, literally and explicitly." This added no further encouragement. What was this "law"?

It turned out to be a piece of lunacy passed in 1966 called the Bail Reform Act. At that time, as may be recalled, Original Sin was thought to have disappeared from the face of the earth, along with other superstitions. Only a wicked and corrupting society remained to be put to rights. The conventional wisdom more and more tended to conceive of crime as an inevitable (and deserved) reaction to the pricks and goads of society, which manifest themselves in such forms as racism, corporate greed, institutional authority, inadequate educational facilities, harsh toilet training, and premature weaning.

It is a relief to know that this wisdom is no longer quite so current, having been jeered at by a number of writers, including James Q. Wilson, a Harvard professor who, as M. Stanton Evans remarked recently, "obviously has tenure." But I am sorry to report that the Criminal-is-the-Victim view of justice still seems to hold sway with a number of judges in the nation's capital, some of whom appear to have missed their true vocations as social workers or psychiatrists when they were elevated to the bench.

Take the case of D.C. Superior Court Judge Sylvia Bacon. In 1973 she ordered that one Edward J. Holmes, a 17-year-old who had been convicted of various offenses including burglary and

auto theft, be released from custody so that he could go and live with his family in Maryland. "His institutional behavior was greatly improved," Judge Bacon later noted, and "it appeared that there were no further programs for him in the District of Columbia." She regarded Holmes as "immature and impulsive," with "sex identification problems and drug abuse problems." These were quite sinister euphemisms, as it turned out.

Upon his release, Holmes murdered an 11-year-old child, Peggy Schroeder, for which he was convicted, and after his conviction he confessed to having murdered two other children at about the same time—Stanford Kendricks, 9, and Joanie Bradley, 12. In his confession Holmes said he dragged the boy off to some woods and "burned" him. "I stacked paper all over his head and I burned it....I lost my temper....I started to strangle him. I picked up a big brick and I started to beat him with it."

As for Joanie Bradley, Holmes told police he dragged her off to the woods, too, had sexual relations with her, and then "I tied her hands to the back with a sock. I think they were red socks, like knee socks." Then he hit her with a "white concrete brick, a big chunk, it was white and had blood on it. I hit her lots of times." Holmes said he did it because "something came over me."

When this confession surfaced at a pretrial hearing, Judge Bacon immediately got on the case. She refused to admit the confession into evidence, and said she would deny its admissibility into any trial, because it was "the product of a culmination of unlawful and coercive police activity." Holmes just wasn't sane enough to know what it meant to waive his constitutional right to remain silent, Bacon argued on behalf of the murderer. "Psychological testing" had persuaded her that "his reading level is sixth grade," his mathematics only second grade, and (a real Catch-22 here) Holmes' "entire experience had been in the juvenile system, which did not acquaint him with the consequences of criminal behavior." (Holmes was 19 when he committed the murders.)

And what was even worse, Judge Bacon felt, Holmes "was intensively interrogated for some four hours in the middle of the night after being whisked from a bus stop in the District of Columbia to a Maryland police facility," that is, he was improperly extradited.

So Holmes, who drags young innocents into the woods and beats their brains out, is in turn *whisked from a bus stop* and very properly interrogated by police, as a result of which society in turn is to be penalized by the denial of Holmes' confession. The *police*, it turns out, are accused of unlawful and coercive activity, not Holmes. In short, the law has been stood on its head by the social worker judge.

What strikes me as being so appalling about this case, when looked at from the point of view of plain decency and common sense, rather than from the point of view of those who are pleased to call themselves civil libertarians, is that the judge seems to construe her role not as meting out justice to criminals but as meting out retribution to society. Let me briefly review the technique employed by Judge Bacon, because it is quite common among judges today.

Tom Bethell is a Washington editor of Harper's and a contributing editor of the Washington Monthly.

First of all, a defendant is brought into court, and the judge concludes (as happened in this case) that he is "mentally ill," "immature, hostile and anxious." The evidence for these conclusions derives in large measure from the crimes that have been committed, of course. Nevertheless, the young man, by now diagnosed as "anxious," is deemed to be in need of "treatment," not punishment, and the judge proceeds to discern that no appropriate treatment is readily at hand. So the young man is released. Then he commits far worse crimes. This leads the judge to conclude that he is even more mentally ill than she had originally thought, and so in need of even more programs. When they are not forthcoming, the murderer is then defined as one of society's many victims. The Holmes case, Judge Bacon concluded, "should alert this community to the pressing need for facilities for mentally ill and mentally deficient juveniles."

I must say that the Holmes case did alert me, but to the need for judges who do not harbor an animus against society.

The same may be said of a recent and quite remarkable opinion handed down by the U.S. Court of Appeals for the District of Columbia: the Willie Decoster decision, filed in October and upheld by Chief Judge David L. Bazelon and Appeals Judge J. Skelly Wright, with Appeals Judge George E. MacKinnon dissenting. In the view of a number of local prosecuting and defense lawyers this was one of the most outrageous judicial decisions of recent years.

In brief, the armed robbery conviction of Willie Decoster was reversed by Bazelon and Wright because his court-appointed attorney did not do a good enough job of exploring all defense avenues open to him. As a local U.S. Attorney put it, the government now not only has to prove the defendant guilty but prove, at the same time, that the defense is competent, too. This, of course, opens the door to the *reductio ad absurdum* of defense strategies: do a feeble job, lose the case, and get the defendant to appeal on the grounds that he was poorly defended.

Decoster had the misfortune to be caught in the act of the armed robbery in question—caught by two plainclothes police officers who were driving by in a patrol car. Decoster's two partners-in-crime changed their pleas to guilty in mid-trial when these two officers testified against them. But Decoster had fled the jurisdiction while out on bail and was only brought to trial when he was arrested and returned, charged with another crime. He was swiftly convicted, after a two-day trial.

Shortly before sentencing Decoster wrote a letter to the judge, which led to the following exchange at sentencing: Judge: "...The court has received a long letter from the defendant himself, stating that he has learned the error of his ways and that he has found out that he was fooling with the wrong crowd....Mr. Decoster, do you have something you want to say on your behalf?"

Decoster: "I just wanted the court to know that I was sincere in writing this letter. I feel like I can—well, I know I can be rehabilitated which I have did [sic] on my part in having to come to face the facts."

In his dissent Judge MacKinnon commented on this: "Thus Decoster at sentencing did not claim to be innocent and in effect admitted his guilt....The result, beyond belief, is reversal for a failure to investigate a fabricated defense." He concluded: "It is unthinkable for this court to require counsel at the outset of a criminal trial to investigate every possible defense that might be fabricated."

David Bazelon, who is one step below the U.S. Supreme Court in the judicial hierarchy, is by far the most radical judge on the federal bench. Psychiatry has been his specialty, as he underwent psychoanalysis himself in the late 1940s (together with William O. Douglas),* and shortly thereafter laid down the Durham Rule,

whereby "an accused is not criminally responsible if his unlawful act was the product of a mental disease." D.C. courts later threw out this rule as unworkable, and ever since, it is scarcely an exaggeration to say, Bazelon has devoted himself to finding ever more outlandish ways of reversing the convictions of criminal defendants. In a recent law review article Bazelon went out of his way to attack "the system," leading MacKinnon to respond that he seemed to be suffering from some "unspecified social grievance," leading to his "freeing guilty defendants on non-legal grounds."

A variation on the Bazelon theme has been played out in the D.C. Courts recently by Judge Charles W. Halleck, whose father was Gerald Ford's predecessor as House Minority Leader. President Johnson appointed the younger Halleck to the D.C. Bench in 1965, when he was 35 years old and had a reputation as a conservative. He kept this up for a few years; defendants had to get their hair cut short before he would allow them out on personal bond, for example.

Then came the all-too-familiar change, well summarized in the following paragraph from the *Washington Post*: "Halleck underwent a radical personal change in philosophy and lifestyle—but not in his colorful courtroom manner—in the early 1970s. He divorced his first wife and married a probation worker, grew a beard and moderately long hair and became, in the eyes of some, as pro-defendant as he once had been pro-prosecution." He, too, became mesmerized by psychiatry.

In short, he went batty, to judge from his recent behavior. There are many Halleck stories in Washington, but the following, told to me by a local lawyer, will suffice. This lawyer had a case before Judge Halleck, he recalled, but the defendant did not show up for trial. The normal procedure if this happens is for the judge to issue a bench warrant for the man's arrest. What startled my lawyer friend was that Halleck simply "acquitted" the man without trial.

A few months ago Halleck intercepted a witness paper the prosecution wanted to serve on the court reporter. Halleck told the court official to take it back to the prosecutor and "shove it up his a--." In another case Halleck was told that he had to give a defendant a sentence, because probationary supervision was required, whereupon he replied: "Probation for five minutes. Unsupervised probation for five minutes. How's that? Does that satisfy you?" As he was leaving the courtroom Halleck turned to the assistant U.S. Attorney and said: "I can probably arrange for you to be appointed to fill my vacancy. Do you want the job?"

Defense lawyers were sometimes harangued, too, and even other judges. It constantly upset Halleck that other judges, especially federal judges, seemed not to be working as hard as he was. "You can go out and fire a cannon through the judges' parking lot at 3:30 in the afternoon and catch two cars every day," he once said, "mine and [one other]." Another time he threatened to take long lunches and "vacations in California" like the federal judges unless someone reduced the caseload. "Every case that comes back to me from the Grand Jury is going to be given the full treatment," he said, adding ominously: "then I will release every one of them on personal bond so they can go out and yoke and rob and cut people up, and you can explain that to the general public."

Halleck, it turns out, is the Judge Who Went Too Far. It is unlikely that he will still be a judge by the time Jimmy Carter is sworn in. President Ford renominated Halleck in 1975, but throughout the following year the Senate failed to confirm the



* See Joseph C. Goulden, *The Benchwarmers*, Weybright & Tally, 1974, (page 251).

nomination, and it was during this year, when his reappointment was in doubt, and when he could be expected to be on his best behavior, that his antics seem to become odder than ever. Poor Halleck seems ultimately to have been duped by the liberated philosophy of his own "lifestyle."

One day I went to see Judge Halleck, so startling were the reports about him in the papers. During a recess he came out of the courtroom into the reception room where I was sitting. A red-faced, choleric man, he immediately began shouting about "the system," the docket cluttered up with misdemeanor charges like

marijuana possession while the murderers and armed robbers were kept waiting for months. A good deal of what he said made sense. Then he darted off to his chambers and came back with a copy of *Alice in Wonderland*, copiously underlined, from which he began to read while nervous aides plucked at his robe. Finally he allowed himself to be dragged back into court, handing me the classic as he left. "Read it yourself," he said. "It explains the problems we have here better than anything."

I think I know what he meant. □

James Grant

Genius on Deadline

Banker, editor, essayist, Walter Bagehot joined the world with the world of letters. His words won't sit still on the page.

Genius is as rare in journalism as it is in plumbing. Both callings serve the needs of the hour: news and running water wait for no one. The press cries out for copy, stupidly, daily, for no better reason than habit. Genius—eccentric, painstaking—may sell papers. It surely doesn't get them out. Genius, more to the point, has better things to do than try.

Thus the career of Walter Bagehot (1826-1877) is unique in the annals of the working press. For Bagehot, alike banker, essayist, and advisor to governments, was indeed a genius. *The English Constitution* (politics), *Lombard Street* (finance), and *Physics and Politics* (sociology, but of the very best cut) stand as the still-read testimony to Bagehot's versatility, his genius to join the world with the world of letters. Yet Bagehot chose the trade of journalism. When James Wilson, his father-in-law and founder of the *Economist*, died in 1860, Bagehot took over the magazine. He ran it in earnest and for profit, writing 4,000-6,000 words a week, expanding its statistical coverage, insisting that it be written for businessmen and not the approving (but stingy) literati.

Bagehot, as someone said, has endured two misfortunes. First, his name appears to be unpronounceable (in truth, it is simply BADGE-et). Second, it is forever linked with the English Constitution, an institution as mysterious and uninviting as the Electoral College. Two years ago, the Graduate School at Columbia University announced a new program in financial writing, which it properly named for Bagehot. The *New York Times*, in reporting the news, could say no more of the *Economist*'s greatest editor than that he "was widely considered to have been one of the more distinguished economic journalists." Yes, and Henry Aaron, it is said, could hit for power.

For nearly a decade now, the *Economist*, together with Norman St. John-Stevs, Bagehot's biographer, has been compiling and publishing the great man's collected works.* The project began with four volumes of literary and historical essays (including sketches of William Cowper, Hartley Coleridge, and Lord Macaulay), which appeared in 1968. Four more of political studies followed in 1974. A concluding four volumes, three of economics, one of letters and miscellany, are expected late this year.

The project has an improbable, ghoulish air about it. Journalism is properly mortal, doomed by its own immediacy: inform today,

bore tomorrow. Yet there is nothing mummified about these sturdy, blue volumes. The writing is fresh and vivid. The facts and faces, a hundred years old, are not a burden. (Nor were they then to Bagehot. He regularly misspelled names and misquoted authorities, often improving on the standard text.) Bagehot makes of facts, the grist of leading articles, something immutable. The specific gives rise to the general. "Pitt's wit," he writes in a review essay, "was the best [Wilberforce] had ever known. And it was likely to be," he adds: "humour gains much by constant suppression."

His essays, in their genial range, are really conversation. By not sticking to the point, Bagehot both makes the point and goes beyond it. He begins an article on Edward Gibbon: "A wit [almost certainly Bagehot himself] said of Gibbon's autobiography that he did not know the difference between himself and the Roman Empire." The touch is sustained. Bagehot illuminates Gibbon by talking of the life around Gibbon, of the value of desultory reading, the fantasy of history, the timeless propensity of stupid money to find its suitable reward, the English militia, the English middle class: "Everywhere there exists the comfortable mass: quiet, sagacious, short-sighted—such as the Jews whom Rabskakeh tempted by their wine and their fig tree, such as the English with their snug dining room and after-dinner nap, domestic happiness and Bullo coal; sensible, solid men, without stretching irritable reason, but with a placid, supine instinct, without originality and without folly...."

Bagehot possessed both the journalist's facility and the journalist's spleen. He loved the clamor of the world. In a lecture on "Literature" to the Langport Literary and Scientific Institution, Bagehot advised his audience to read the *Times* every day, news and advertisements, if they would know what the world was really about. His prose has the gait of events. "The reason why so few good books are written," Bagehot declared, "is that so few people who can write know anything." Bagehot had been a banker; he had read for the law; he had twice run for Parliament and twice been defeated; he knew about markets and money. He knew about men. "The air and atmosphere, so to speak, which are around a man," he wrote at 29, "have a delicate and expressive power, and

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* *The Collected Works of Walter Bagehot*, in twelve volumes (eight now complete), The Economist, publisher. Vols. I & II, \$23.00; vols. III & IV, \$23.00; vols. V-VIII, \$63.75.

leave a stamp of unity on the interpretive power of mankind. Death dissolves this association, and it becomes a problem for posterity what it was the contemporaries observed and revered." Bagehot had a novelist's eye for character and a politician's knowledge of what character does.

The two journalistic rules most scrupulously observed by Bagehot were those set forth some years later by G.K. Chesterton and H.L. Mencken. Said Chesterton: "What is really the matter, with almost every paper, is that it is too much full of things suitable for the paper." Said Mencken: "In journalism, it is far better to be wrong than timorous." Sensing these truths, Bagehot began his career in the now-prescribed manner—chancing upon the scene of calamity and sending home reports of it. His particular good fortune was the coup d'état of Louis Napoleon in December 1851 and the killing, rioting, mass arrests, declaration of universal suffrage, muzzling of the press, and dissolution of the Assembly which attended it.

Bagehot wrote seven long "Letters" about the coup for the *Inquirer*, a Unitarian weekly. Everyone in England deplored the coup; we may be certain that no one deplored it more than the readers of the *Inquirer*. Few in England held much brief for the Church or its alliance with Napoleon; the *Inquirer's* readers held none. Bagehot, 26 years old, unknown, himself a Liberal, contrived to eulogize the Church and to defend the coup—ignoring the Prince's perjury and making rather light of the réeking gaols. "The poorest priest in the remote region of the Basses Alpes has more power over men's souls than human cultivation," he wrote. "His ill-mouthed masses move women's souls—can you?" And this: "There is some lurking quality, or want of quality, in the national character of the French nation which renders them but poorly adapted for the form of freedom and constitution which they have so often, with such zeal and so vainly, attempted to establish." Even now, Bagehot's words won't sit still on the page.

One recalls Tom Wicker in Dallas, leaping a fence without breaking stride, running half a mile with typewriter and briefcase to the press room of the Dallas air terminal, there to write 106 accurate paragraphs on the assassination of President John F. Kennedy. One imagines Bagehot in Paris, prowling the littered streets, watching (and helping) the Republicans throw up barricades, filing hastily written paragraphs on...what? Not precisely the news. Nor still the news of the week in review. It was, on its face, the stuff of books and, indeed, much of it was to turn up later in *The English Constitution*: comment on national character, mysticism and the Church of Rome, the nature of free institutions, the uses of stupidity in maintaining them. (The French, he owned, were simply too clever, too mercurial, to govern themselves.) It was all very cynical and paradoxical—epigram rivaled epigram in praising a dull national temper. It was, in short, the perfect new journalism, except that beneath it all was something enduring. Bagehot, an occasional correspondent for a little-read weekly, was a man—on deadline—thinking.

He returned to England in 1852, faced with a choice of the law—he was soon to be called to the bar—or the family bank. Banking was then a leisured occupation; the law was a tiring one. Bagehot manfully took up double-entry bookkeeping. He continued to write. With the publication of "Shakespeare—The Individual" in 1853, his 28th year, Bagehot had reached his full powers. Gone was the flippancy of the Paris Letters but not their brilliance and verve. Bagehot begins the essay with a commonplace: it is said that the greatest of English poets "is but a name." But what do we know of the poet from his poetry? We know a great deal. Bagehot

proceeds to deduce what Shakespeare must have been like: he must have been a hunter and sportsman (even as Bagehot was). He must have had a conserving political instinct, an "experiencing" nature, a worldly eye ("for he succeeded in the world"). In outline, it seems only clever guesswork, a scholarly list. Not so in the reading. We read of types of men and types of authors; we see in Shakespeare both the English character and the character of Bagehot. Here is a great taxonomist of minds. Consider, he bids us, Milton and Shakespeare as they describe a scene. Milton, "who was still by temperament and a schoolmaster by trade, selects a beautiful object, puts it straight before him and his readers, and accumulates upon it all the learned imagery of a thousand years; Shakespeare glances at it and says something of his own." The prose gallops on; reading it, you can make out the furious scratching of a pen. Bagehot is an extensive writer—he reasons on paper. An editor, if he could bear it, might cut one sentence in three without losing the drift. But which of these sentences would you kill?—"Behind every man's external life, which he leads in company, there is another which he leads alone, and which he carries with him apart. We see but one aspect of our

neighbor, as we see but one aspect of the moon; in either case there is also a dark half, which is unknown to us. We all come down to dinner, but each has a room to himself."

Walter Bagehot, who advised Gladstone, helped found the *National Review*, and invented the treasury bill, was in print neither pedant nor expert. In journalism there is something worse than utter ignorance. It is the opaqueness often imparted by great knowledge. "He got too close to the story," is the city desk's plaint: the reporter learned too much and thereby confused the reader. Bagehot began at the beginning. Writing plainly, sympathetically, "likening great things to small," he said to his reader: I am like you, let me help you understand. He wrote of the budget for war: "An engineer told me they had shot away powder worth a certain sum of pounds sterling in a few trials of this new gun at Shoeburyness; and when I came to reckon, the sum was more than my income tax. Now it is very painful to me to think that they would shoot away my income tax." The effect is winning; we are charmed, not dragooned.

Perhaps no other journalist has been so blessed. Bagehot, who was born in the family bank (a few people die in banks; no one is born in them), knew finance at first hand. A brilliant student, he knew mathematics, languages, economics, and history (Jacques Barzun, included in this edition, calls him a great user of history). Having made friends with James Wilson in 1857, he married his daughter Eliza and within four years was directing the *Economist*. Mrs. Russell Barrington, another Wilson daughter, recalls Bagehot in his courting days: tall and thin, with a dark eye, "narrow, square shoulders....He held his fingers quite straight from the knuckles and would often stroke his mouth or rub his forehead when he was thinking or talking....He would pace a room while talking, and, as the ideas framed themselves in words, he would throw back his head as some animals do when sniffing the air."

Bagehot's tenure at the *Economist* coincided with the gathering power of British industry and a new demand for honest financial reporting and informed political commentary. The stalls in London were full of papers that would puff a stock for a price. Not the *Economist*, whose honesty, Bagehot said in 1873, was its greatest asset. "I have been told that it was the only financial journal in Europe which had not a shop [i.e., "bucket shop," a shady brokerage operation] behind it, and this is the reason why its man-



agement must never be left to a salaried Editor." In the speculative heat of a bull market, Bagehot feared, such a man might confuse his own interests with the paper's. The editorship returned to Bagehot, who had an outside income, only a modest salary—400 pounds sterling annually, space rates for his articles, and half the profits above 2,000 pounds a year. The *Economist's* influence, however, exceeded its 30 pages, its circulation of roughly 3,000, and its income. A letter to Bagehot from Lord Granville, the Foreign Secretary in 1870, ended with the telling postscript: "May I ask you in anything you say, which always comes with so much weight from the high character of your paper and great ability of the articles, not to write anything which will give thoughtful Germans to believe that they have just cause of complaint with us."

As a weekly commentator, Bagehot escaped the fate which a past editor of *Barron's* vividly described as "coming in on the freight." He could comment on yesterday's news and yet still say something startling. Bagehot was occasionally wrong—he was consistently wrong on the American Civil War, in which he long favored the South—but never stale.

He was blessed more subtly. His views—"between sizes," Bagehot called them—were at peace with his time. He wanted change, knew there must be change if there was to be progress, knew the dangers of too much change. He recoiled alike from the cravenness of arch-conservatism, the wrongheadedness of socialism, and the purity of laissez-faire. "I hate the Liberal enthusiasts," he said. "I feel inclined to say, 'Go home, Sir, and take a dose of salts, and see if it won't clear it out of you.'"

Bagehot was no friend of the mass of men. He feared the widening of the franchise and could speak, with his arch-enemy Disraeli, of the weighing, not the counting, of votes. When Reform triumphed, however, his cry was "Educate!" A convinced free-trader and hard-money man, he nevertheless supported the Factory Acts and endorsed—though not without some caveats—the income tax. "The English state," he declared without irony, "is but another name for the English people. From countless causes the age of great cities requires a strong government." Bagehot took little notice of Proudhon ("property is theft") and none, surprisingly, of Karl Marx, whose *Das Kapital*, Volume I, appeared in 1867, the very year that *The English Constitution* was published as a book.

Woodrow Wilson, a disciple of Bagehot, wrote of him: "...You know what you lack in Bagehot when you have read Burke. You miss the deep eloquence which awakens purpose. You are not in contact with systems of thought or with principles that dictate action, but only with perfect explanation." Yes, one mutters, Bagehot would have seen through The War to End All Wars. But Wilson—give the man his due—made a telling point. Zealots embarrassed Bagehot; systems worried him. The conservative backlash to the French Revolution amused him: "If you proposed to alter anything, of importance or not of importance...the same answer was ready,—'You see what the French have come to. They made alterations: if we make alterations, who knows what we may end up in the same way?'" Wilson was right: Bagehot, by temperament a man of the left-center, could not have written *Reflections on the Revolution in France*. Nor could he have written what James Wilson wrote in the *Economist* in 1844: "a principle is either right or it is wrong; and every attempt at a partial applica-

tion of it lands us only into difficulties and troubles....there is no consistent medium between perfect freedom and entire free agency of capital and labour, and that principle which would regulate wages, profits and the whole relations of life by legislation—between perfect independent self-reliance and regulated socialism—between Adam Smith and Robert Owen."

James Wilson, a self-made hat manufacturer who lost one fortune in 1837 and at length built another, founded the *Economist* in 1843 to support repeal of the Corn Laws, England's prohibitive duties on imported grain. Thirty years later, Bagehot could write in an office memo that free trade "has long been established; important commercial legislation is exceedingly rare, and nothing of general interest can ordinarily be written about it." A Liberal man in a Liberal age, Bagehot wielded immense influence. There is nothing so boring to a man in power as doctrine, especially losing doctrine, that which would challenge facts (to quote Bagehot) "of the first magnitude." Bagehot, who lived in the high noon of freedom, proposed policy, not dogma.

But the Liberal age has given way to the Age of Enormities. Commissars and lunatics rule half the world; not a dozen men in this republic could name the "important commercial legislation" of the past fortnight. Friedrich von Hayek, whose economics Bagehot might have found congenial, can say: "A successful defense of freedom...must be dogmatic and make no concessions to expedience." A Liberal in a collectivist age speaks of doctrine—for it is only doctrine, he holds, that can save us. Thus he foresakes power. Bagehot, heir to the intellectual climate that James Wilson helped foster, never grumbled. Even as his age was reasonable, he was a reasonable man.

Bagehot's moderation has plainly influenced succeeding editors at the *Economist*. The magazine seems oddly sanguine in the face of impending national ruin. It is ever so reasonable, chiding left-wing Labourites, to be sure, counseling a bit less government here and there, but never seeing as Wilson saw (and as Herbert Spencer, Wilson's editorial assistant saw) the manifest danger of socialism. Wilson railed at history; Bagehot, a man of his time, acceded to it. One suspects that Wilson's shade is something of an embarrassment around the *Economist* nowadays. If so, it is too bad. Bagehot's genius is for all time; Wilson's pluck is especially for our own.

The *Economist* edition of Bagehot's works is the third to be published since The Travelers Insurance Co., of Hartford, Connecticut, offered five volumes for sale in 1889. Someone in the boardroom had read Bagehot, had been smitten, and had decided that the policy holders would be served by a complete collection priced at cost: \$1 a book, \$5 the set. (They sold 1,000 sets.) Some years ago, the *Economist* invited The Travelers to join it in bringing out a new edition. When the company declined—PR, it explained, has become a more worldly affair in the twentieth century—the *Economist* and Norman St. John-Stevass proceeded on their own, sparing no cost. There are essays on Bagehot's life and his political genius; essays on Bagehot as historian and literary critic; on Bagehot's views on the Civil War, the Irish question, and Napoleon III; introductory notes, through the first four volumes, on leading figures of the day; indices by subject and epigram. The *Economist* and St. John-Stevass are to be congratulated. The reader is to be envied. □



Disconnecting Church and State

The Constitutional case for complete separation.

One of Tocqueville's most surprising discoveries in America was the "quiet sway of religion over [our] country." In France he "had seen the spirits of religion and freedom almost always marching in opposite directions" but in America he "found them intimately linked together in joint reign over the same land." Tocqueville was a practicing Roman Catholic, and he asked a great many Catholic priests, as well as other American clergymen and laymen, for an explanation; to his astonishment, they all attributed the religious atmosphere of America to "the complete separation of church and state."

Tocqueville perceived an unqualified consensus in favor of such separation, but he also observed that education in America was entrusted almost exclusively to the clergy. Since his visit in the 1830s, however, American education has become a much more public affair, and the consensus Tocqueville perceived has increasingly given way to public discord about the principle of separation, particularly as it applies to schools. In the last two decades the courts have had to rule on the constitutionality of a number of educational practices alleged to breach the wall between church and state erected by the First Amendment. The judicial decisions resulting from such challenges have been confusing and difficult to understand, due to what appears to be an odd inconsistency: the Supreme Court has upheld providing textbooks and bus rides to parochial school children, and construction grants to religious colleges, even as it struck down religious exercises in public schools, payments to teachers of secular subjects in parochial schools, and tax credits to parents for tuition payments to such institutions.

All this has produced much indignation and little understanding in the general public, and a corresponding decline in public respect for both the Court and the idea of church-state separation. Each side of the issue claims the sanction of the nation's Founders—the separationists seeing Jefferson and Madison as the first pioneers of religious liberty and independence, the "accommodationists" contending that the Founders could never have intended such silly things as banning prayer from public schools. But what actually were the views and intentions of the Founders in framing the religion clauses of the First Amendment? How would they decide the sorts of church-state questions raised before the Supreme Court in recent years? How faithful has the Court been to the original purposes of the First Amendment, and what other factors have influenced its decisions? The answers to these questions are neither simple nor easily discovered.

The origins of religious freedom and church-state separation in America are complex and somewhat contradictory. They trace back at least to Roger Williams, but the major impetus for toleration was the Great Awakening of the eighteenth century. An expansive wave of religious revivalism that washed over the entire colonial landscape in the 1740s, the Awakening spawned numerous new sects whose rapid growth gave rise to a general acceptance of toleration, even in the most steadfastly orthodox

colonies. At the same time, the colonial mind held on to a belief in the obligation of the state to protect and assist religion. The Continental Congress, for example, urged the colonies to promote "true religion and good morals" as "the only solid foundation of public liberty and happiness." Most Americans saw no contradiction between broad religious liberty and public support of churches: when the Revolution broke out, most of the colonies still provided funds for religion, though a few were broadening their support from one church to several and others were moving to disestablishment. Neither was the notion of toleration absolute. Most of the new state constitutions drafted after the Revolution included religious tests for civil rights that excluded Catholics, Jews, and nonbelievers.

Opposed to such practices were Madison and Jefferson, who wanted a complete divorce between church and state at every level, and whose allies included most of the major luminaries of the Revolution—Franklin, Washington, Hamilton, Paine, and Henry, among others. As a member of the Virginia House of Burgesses, Madison had in 1787 orchestrated the passage of Jefferson's Statute for Religious Freedom, a passionate and stinging denunciation of intolerance and state-supported religion and one of the three achievements Jefferson wanted mentioned in his epitaph. Madison was the principal author of the Constitution and, like most of those who supported the document, he argued against including a Bill of Rights. Most of his allies thought it superfluous, on the theory that the federal government could exercise only those powers explicitly granted it, but Madison simply doubted it would be effective. Having seen the Virginia Bill of Rights ignored on several occasions by the colonial government, he asked rhetorically, "Is a bill of rights a security for religion? ... If there were a majority of one sect, a bill of rights would be a poor protection for liberty." He believed the existence of numerous sects would ensure the survival of toleration, fearing that "the rights of conscience in particular, if submitted to public definition, would be narrowed much more than they are likely ever to be by an assumed power." Despite these reservations, Madison finally agreed to include a Bill of Rights when he saw the Constitution could not be ratified without one.

Given the nation's diverse views and practices regarding government and religion, the wording of the First Amendment was a tricky proposition. Madison originally suggested the following: "The civil rights of none shall be infringed on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext, infringed. No State shall violate the equal rights of conscience..." A committee of the House of Representatives pared it down to "no religion shall be established by law, nor shall the equal rights of conscience be infringed." But this version provoked a great deal of opposition, both because it prohibited support of religion by the states and because it clearly protected atheists and agnostics, by appealing to the "rights of conscience" rather than to religious freedom, a slightly more ambiguous concept. John Adams, who opposed any interference with state establishments, like that of his own Massachusetts, declared that

Stephen J. Chapman, a native of Austin, Texas, now lives in Washington. He graduated from Harvard last June.

"one might as well expect a change in the solar system as that the great Puritan commonwealth would abolish its ecclesiastical laws." Many Virginians, notably Richard Henry Lee, also objected to such interference, even though they had lost the fight to maintain an established church in their own state. Joining with the New Englanders and Virginians were many Antifederalists who simply objected to any further erosion of the powers of the states.

The Amendment managed to pass the House, but the Senate balked. A conference committee altered it to read "Congress shall make no law establishing religion, or to prevent the free exercise thereof, or to infringe the rights of conscience." Subsequent wrangling broadened the first phrase and eliminated the last, resulting in the present version: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

The meaning of all this was that the prohibitions of the Amendment—strict and uncompromising as they were—applied only to the federal government. By design, nothing in the Amendment could interfere in any way with the states, which remained free to support churches and to restrict the rights of dissenters. The religion clauses of the First Amendment established a clear principle, but one carefully limited in scope, reflecting a sophisticated compromise intended to offend as few as possible. Each side saw what it wanted: libertarians took solace in the complete break between religion and government at the federal level, while New Englanders, Virginians, and Antifederalists were pleased that the states retained their authority over religious matters.

Madison gave up the thoroughgoing separation of church and state he wanted, but he managed to enshrine the idea of separation in the Bill of Rights. As for the state establishments, history was on his side, and he knew it. Except for Maryland, South Carolina, and most of New England, all the new states legally disestablished religion. Having seen the collapse of established religion in his own state, Madison was confident that the process would repeat itself elsewhere. In the next fifty years, he was vindicated; one by one, each state establishment fell, the last being that of the "great Puritan commonwealth" of Massachusetts in 1833.

Though formal disestablishment took place everywhere, states retained vestiges of the old order, such as Sunday closing laws, Bible classes and prayer in public schools, religious tests for civil rights, and so on. The First Amendment didn't touch such matters, since they were outside the jurisdiction of the federal government. In 1833, Chief Justice Marshall wrote a crucial decision on the scope of the Bill of Rights:

The Amendments contain no expression indicating an intention to apply them to the State governments...Had Congress engaged in the extraordinary occupation of improving the Constitution of the several States by affording the people additional protection from the exercise of power by their own governments in matters which concerned themselves alone, they would have declared this purpose in plain and intelligible language.

The Supreme Court took an equally uncompromising stand in an 1845 case, stating flatly, "The Constitution makes no provision for protecting the citizens of the respective states in their religious liberties; this is left to the state constitutions; nor is there any inhibition imposed by the Constitution of the United States in this respect on the states."

The limitation of the Bill of Rights to the federal government thus became an accepted legal principle in the nineteenth century. Things would have remained that way except for the Fourteenth Amendment, passed after the Civil War, which reads in part as follows: "No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Clearly the

Amendment was meant to expand the power of the federal government at the expense of the states; that was essential if Congress was to carry out its program of reconstruction. Congressman John Bingham of Ohio, the primary author of the Amendment, saw it as a vehicle for applying the guarantees of the Bill of Rights to the states, explaining that its purpose was "to protect by *national* law the privileges and immunities of all citizens of the Republic and the inborn rights of every person within its jurisdiction whenever the same shall be abridged or denied by the unconstitutional acts of any State." Bingham vehemently denied that his proposal would diminish states' rights, arguing that the Bill of Rights was intended to apply to the states all along, the rulings of the Supreme Court notwithstanding. He wanted only "to arm the Congress of the United States...with the power to enforce the Bill of Rights as it stands in the Constitution today."

For decades, despite the aims of the men who framed the Fourteenth Amendment, the Supreme Court hewed to the traditional interpretation of the Bill of Rights, and particularly of the First Amendment. It saw no basis in the Fourteenth Amendment for interfering in state practices toward religion. As late as 1891, the Court said unequivocally, "The States may establish a Church or Creed, and maintain them, so far as the Federal Constitution is concerned...they [the Founders] left the States the most absolute power on the subject..." A few dissenting justices

contended that the Amendment prohibited the states from violating religious freedom and supporting religion, but such views did not prevail on the Court until well into the twentieth century.

The breakthrough came in 1923, when the Court confronted the implications of the word "liberty" in the Fourteenth Amendment. Admitting that "this Court has not attempted to define with exactness the liberty thus guaranteed," it was certain that the term included, among other liberties, the right of every man "to worship God according to the dictates of his own conscience." The meaning of this opinion was unclear, and the Court refused to extend the logic of its decision. Two years later, however, it declared that the Fourteenth Amendment protected freedom of speech and press from abridgement by the states. But the Court left the religion clauses of the First Amendment out of this protection, and for the

next decade and a half refused either to broaden or to refine its interpretation.

The decisive action was taken in 1940, in a case involving members of Jehovah's Witnesses, who were arrested for soliciting money for their church without the license required by a Connecticut law. In a unanimous decision, the Court overturned the conviction of the two men and ruled the law unconstitutional. Justice Owen Roberts delivered the opinion, asserting that "the fundamental concept of liberty embodied in that [the Fourteenth] Amendment embraces the liberties guaranteed in the First Amendment. The First Amendment declares that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. The Fourteenth Amendment has rendered the legislatures as incompetent as Congress to enact such laws." By one stroke, the Supreme Court made the religion clauses of the First Amendment binding on the actions of the states, once and for all.

In doing so the Court clearly acted in conformity with the aims of the framers of the Fourteenth Amendment, and opened up a wholly new and uncharted area of constitutional law. The question was no longer whether to apply the First Amendment's religion clauses to the states, but how—an imposing task. How was the Court to apply to the states a principle that originally was not intended to be applied to the states? Madison and Jefferson could not have imagined the variety of problems that would arise.

The watershed case for the establishment clause of the First Amendment was *Everson v. Board of Education* (1940). Even as he affirmed the constitutionality of a New Jersey law providing free bus transportation to students in parochial schools, Justice Hugo



Black offered what would become the definitive interpretation of the clause:

Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions...In the words of Jefferson, the clause against establishment of religion by law was intended to erect "a wall of separation between church and State."

In formulating that definition, Black carefully noted the views of Madison and Jefferson, and even went so far as to include in an appendix Madison's *Memorial and Remonstrance against Religious Assessments*, written in opposition to a proposal to provide tax money for the support of churches in Virginia. He also cited Jefferson's Statute for Religious Freedom, quoting from the preamble the words, "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical," and noting that the statute provided that "no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever..." But Black upheld the New Jersey law on the ground that it was aimed at promoting the public welfare, not at assisting religious schools.

It is hard to quarrel with Black's lucid interpretation or his reading of Madison and Jefferson, and significantly, none of the justices who dissented from the Court's opinion did so. Their quarrel was with what they saw as Black's lack of rigor in applying the enunciated principle. Justice Wiley Rutledge agreed with Black's interpretation of Madison's intent, saying that nowhere was Madison "more unrelentingly absolute than in opposing state support or aid by taxation. Not even 'three pence' contribution was to be exacted from any citizen for such a purpose." Rutledge pointed out that the law clearly was intended to help only religious schools, since students at private profit-making schools were not eligible for the free transportation. In an exhaustive analysis, drawing extensively on Madison and Jefferson, Rutledge argued that "By no declaration that a gift of public money to religious uses will promote the general and individual welfare, or the cause of education generally, can legislative bodies overcome the Amendment's bar. Nor may the courts sustain their attempts to do so by finding such consequences for appropriations which in fact give aid to or promote religious uses. Legislatures are free to make, and courts to sustain, appropriations only when it can be found that in fact they do not aid, promote, encourage or sustain religious teaching or observances..." Justice Robert Jackson, in a separate dissent, criticized the Court for its "failure to apply the principles it avows," and dismissed the majority's opinion as reminiscent of Byron's Julia, who "whispering 'I will ne'er consent'—consented."

A year later the Court was confronted with the "released-time" practice, in which religious instruction was provided in public schools for students who wanted it while those who didn't attended other classes. In ruling the practice unconstitutional, Justice Black noted that "not only are the State's tax-supported public school buildings used for the dissemination of religious doctrines, the State also affords sectarian groups an invaluable aid in that it helps provide pupils for their religious classes through use of the State's compulsory public school machinery." He said flatly, "This is not separation of Church and State." Justice Stanley Reed dissented, citing a regulation of Jefferson's University of Virginia, a state institution, which explicitly permitted "the religious sects of this State, or any of them, according to the invitation held out to them, to establish within, or adjacent to, the precincts of the University, schools for the instruction in the religion of their sect." Reed failed to note that at the time the First Amendment did not apply to the states; had it been designed to enforce separation at the state

level, Jefferson likely would not have tolerated such a rule.

Probably the most famous and controversial cases were those concerning prayer in schools—*Engel v. Vitale* (1962) and *Schemp v. Abington School District* (1963). For all the uproar they caused, few cases have offered such clear choices. What was at issue was simply whether it was proper for the state to nurture religion in its schools. Justice Black's opinion for the Court concluded that "the constitutional prohibition against laws respecting an establishment of religion must at least mean that in this country it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried on by government." Surely a clearer breach of the principle of separation hardly could be found, and as Alexander Bickel wrote, "Hardly any qualification of the holding of unconstitutionality seems possible." It is difficult to imagine that such prayers in public schools could have been approved by Madison, who objected to the hiring of chaplains by Congress, or Jefferson, who refused to follow the Presidential tradition of proclaiming national days of thanksgiving and prayer.

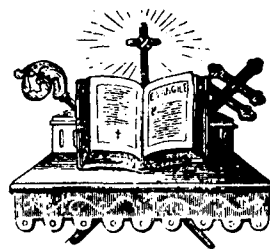
The Court's decisions against prayer in public schools brought a storm of public outrage on its head; perhaps for that reason in recent decisions it has tried to give the accommodationists the benefit of every doubt. As a result, its opinions suffer from inconsistency and a limp reluctance to offend. Following the mistaken lead of *Everson* and going even further, the Court ruled in *Board of Education v. Allen* (1970) that states could provide textbooks to sectarian schools, on the theory that such books were provided not

to schools but to students as part of a general program to ensure them an adequate secular education. Each private school in New York was allowed to choose from a list of approved textbooks, and the books chosen were lent to the school's students. Justice Douglas, dissenting, complained about the wide latitude granted schools in choosing books best suited to their religious views, and left it to Justice Fortas to dot the i: "It could be called a 'general' program only if the school books made available to all were precisely the same—the books selected for use in the public schools." Black, in what appeared something of a reversal from his

opinion in the *Everson* case, chose to dwell on what should have been obvious: "...tax-raised funds cannot constitutionally be used to support religious schools, buy their school books, erect their buildings, pay their teachers, or pay any of their maintenance expenses, even to the extent of one penny." The state was almost openly providing support to religious institutions but the Court, eager to show its good faith to the accommodationists, chose to overlook this clear penetration of the wall of separation.

The Court was less timid when confronted in *Lemon v. Kurtzman* with laws in Rhode Island and Pennsylvania providing state payments to some teachers of secular subjects in private schools. Perhaps sensitive to the weakness of its reasoning in the textbook case, the Court unanimously struck down the laws, concluding in a scrupulously balanced opinion, "We cannot ignore the danger that a teacher under religious control and discipline poses to the separation of the religious from the purely secular aspects of pre-college education." Such clear support of religious institutions could hardly go unchallenged by the Court, however much it endeavored to satisfy the accommodationists.

But the Court zigged back in the direction of accommodation in *Tilton v. Richardson* (1970), upholding federal construction grants to private sectarian colleges for buildings other than those used for religious instruction and worship. Chief Justice Warren Burger, who in *Lemon* had feared that constant surveillance of teachers would be required to ensure their neutrality on religious matters, was satisfied that no similar surveillance was needed in the case of buildings. That given, he decided that such open aid to religious institutions was permissible because in sectarian colleges, "religious indoctrination is not a substantial purpose or activity." Aside from the doubtful accuracy of that observation, the fact remains that such institutions are religious in origin and



purpose, however subtle or secondary that purpose may be. Payments to religious institutions amount to aid of religion by the state. Justice Douglas would have no part of the decision, pointing out that the "Federal Government is giving religious schools a block grant to build certain facilities" and noting that the "million-dollar grant sustained today puts Madison's miserable 'three pence' to shame." In reading the *Tilton* opinion, one gets the impression that the Court has almost given up trying to enforce the principle of separation.

In *PEARL v. Nyquist* (1972) the Court found itself forced to overrule a clearly intolerable violation of the principle, in this case involving grants to parochial schools for maintenance and repair of facilities and for ensuring the health and welfare of students, combined with tax credits and reimbursements to parents for tuition payments. The Court rejected such practices on the ground that "the effect of the aid is unmistakably to provide desired financial support for nonpublic, sectarian institutions." Why the Court outlawed such "support for nonpublic, sectarian institutions" in this case, while permitting it in the textbook and construction grant cases, is a mystery, for what is true of the first is undeniably true as well of the latter two.

That the problems of determining the proper line of division between church and state are complex and difficult is beyond dispute. The multitude of relationships involving the two—from taxes to public services—often brush up against the principle of separation, and it is not always easy to discern where the line should be drawn. In Chief Justice Burger's words, "the line of separation, far from being a 'wall' is a blurred, indistinct, and variable barrier depending on all the circumstances of a particular

relationship." Equally difficult is trying to extrapolate from the writings of the Founders how they would view contemporary issues that they could not possibly have imagined. All the same, the crucial point is that the Founders did set down a clear and uncompromising principle—that "Congress shall make no law respecting an establishment of religion"—and the framers of the Fourteenth Amendment made that prohibition applicable to the states as well. The job of the Court is to locate the line between church and state and to keep each on its own side of the line—a difficult task, but no more so than applying any of the other principles established in the Bill of Rights.

In recent decisions, however, the Court has appeared intent less on maintaining a clear separation of church and state than in trying to balance the interests of the two sides by giving each some of what it wants. That approach, the heart of American legislative politics, is essential to most of the policy decisions in a democracy, but it has no place in the application of the Constitution. Principles established in a constitution are by nature ground rules transcending and underlying all other actions taken by government. They reflect the basic premise of a constitution, the idea, in Hayek's words, that "no power should be arbitrary and that all power should be limited by higher law." The Court's responsibility is not to balance the opposing claims of the two sides in the separation controversy, but to enforce without exception the principle that the state should not support religious institutions, beliefs, or activities. Confused attempts to somehow reconcile separation with its opposite not only permit a bridge where the Founders intended a chasm, but undermine the rule of law, and with it the ideal of a constitutional republic. □

William F. Gavin

Washington: Land of Dreams

Every night before the capital goes to sleep, fantasies of power rise from thousands of beds and hover over the city.

On cold, clear winter evenings, ambitious, bright young Congressional aides working in the Senate and House office buildings pause on their way home to their high-priced apartments to stand on the corner for a moment. They look across the street at the white shining majesty of the Capitol dome, bathed in light. Unless they see it as a symbol of their dreams, as a kind of marvelous promise, as a glorious fragment of a lovely poem only they can interpret—unless they see all this, they are doomed.

Those who work in Washington are all standing on Dover Beach whether they will it or not: either they see Washington as "a land of dreams, so various, so beautiful, so new" or else are forced to see it as a place with "neither joy nor love nor light, nor certitude nor peace nor help for pain." But to the young and ambitious—and to some extent, to the rest of us—one cannot live—cannot *live*—knowing that Washington has no meaning. If there is no certitude, no help for pain beneath that bright shining dome, then where?

So the politician and his aides look at L'Enfant's city as if it were a garden of mystery with a hidden meaning that can be uncovered, that *must* be uncovered, by work and diligence and faith. Unless, during the most boring of subcommittee hearings or staff meetings or while working on a draft of remarks that will be used by the

President as he addresses the Sons and Daughters of the Montenegrin-American Society—unless one hears the faint whispers of the seductive music of power as a background theme, Washington is nothing but a cold, dead, uninteresting third-rate city on a second-rate river, a city of white monuments and black people. And, as that, to those who come to Washington seeking not reality but a dream, it is unbearable.

With the exception of bureaucrats who have a universe of their own, those who work in Washington, D.C. see it as three cities in one geographic location.

First, there is Black Washington.

This is a Washington unknown to most of the white people who work in the city and totally unknown to the big names of the national press who, we are told, "cover" Washington. Top national reporters for the *New York Times* and even the *Washington Post*, who could take you on a tour of Belgrade or Helsinki blindfolded in a snowstorm, would need a compass if they wandered off their regular paths in Washington and found themselves in an all-black neighborhood.

If you see Washington only as a place where a quest for power can be fulfilled, Black Washington is something to follow in the newspapers and on the local television evening news, much in the same way one might follow the activities of the San Diego Padres if

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one doesn't live in San Diego. You recognize some of the big names but there is no impression of reality to burden the mind.

Then there is Official Washington. This is the Washington most Americans confuse with the real or essential Washington. The novels of Allen Drury and, now, his scores of imitators, have done much to convince most of us that this is the only Washington that counts. In reality, it consists of a few score buildings, a few thousand people, and some newspapers and television stations. This Washington has nothing to do with Black Washington and could be said to exist on different levels of reality while sharing, in part, the same space.

Official Washington is the President and a few Congressmen. It is where Top Decisions are made. It is Embassies. It is a place where nationally known Top Reporters interview nationally known Top Washington Figures. The Top Washington Figures are known because they are always interviewed by Top Reporters and the Reporters are Top because they are always interviewing Top Figures. Presidential Aides are part of Official Washington but only if they are known by Top Reporters, who, in turn, do not long remain Top if they do not know nationally known Presidential Aides.

Most important of all, Official Washington means never, ever having to ride a bus.

The third Washington is Working Washington. Sometimes those in Working Washington have delusions that they are part of Official Washington. But they are wrong. So many young men and women come to Washington thinking that they will be characters in a Washington novel. But they soon discover that they are still themselves and this knowledge is devastating because there, just beyond their reach, is the Washington of dream and legend.

It takes heroic sanctity to be content just being yourself when you had always thought that by moving to Washington you would be somebody else, finer, nobler—more *serious*, a person with a career instead of someone who has a job. And, so, one dreams. Perhaps the largest industry in Washington is that of producing fantasies of power. Every night before the city goes to sleep, these fantasies rise from thousands of beds, and hover over the city. The lobbyist's secretary who is going to meet the right kind of man, not the phonies she meets in the fashionable Georgetown bars...the Senator's aide who knows, just *knows* that if he is given a chance to get out of the mailroom and work as a legislative assistant, things will change...the Presidential aide who can see himself sitting across from the President in the Oval Office, just the two of them, and the President saying "Joe, what the hell are we going to do," and the aide, puffing on pipe, looking the President in the eye and saying, "Sir, your options are these"—and then *presenting options* to the President of the United States! Can there ever have been a dream so full of wonder! An option-presenter...no title at the court of the most splendid Byzantine emperor, no task to be performed for the Grand Vizier of the most opulent and magnificent king of legend could thrill anyone more than being a Presidential option-presenter. And, so, the dream, the fantasies become a sweeter reality.

But the constituent mail continues to come in and the mailroom needs bodies. And the Georgetown bars are as full of phonies post-fantasy as they are pre-fantasy and the frantic clutchings afterwards are as sad as they ever were. And the Metro bus coming down K Street in the morning is still crowded and the White House aide gets off at K and 17th to walk to his cubicle in the Old Executive Office Building and does what he did the day before.

But for most in Working Washington, the dream of Washington must never be denied. To deny it is to admit one will go to Georgetown bars forever and ever, that one will ride the Metro bus into eternity, and sort constituent mail until the Second Coming. If the dream of Washington is not preserved and nurtured and renewed, then Washington means: still having to go to the super-

market, driving the kids to piano lessons and to Little League, *mowing the lawn*—writing out checks to C & P Telephone Company and Sears. When Ballantine Beer is selling for \$1.24 a six-pack in the Dart Drug, buy it, because it still means something to save money. But characters in Allen Drury novels do not go to the Safeway or Giant Foods. Does Woodward mow his own lawn? Does Bernstein buy the Ballantines even if he would prefer the Löwenbraü? Does Clark Clifford go to Sears? Isn't there someplace that the dream exists?

Washington—Working Washington—means the indestructible vision within the unyielding fact. Other American cities are good for dreams and visions but Washington can shape the dream with a unique force that comes only when all of the energy, all of the talent, all of the dreams of hundreds of thousands of human beings are focused on one idea—power, political power, national political power. To be part of that power, to feel oneself part of that power is to experience Official Washington.

There are some who cross the line from Working Washington into Official Washington. Power is democratic. It recognizes merit that wealth or even intellect would never condescend to recognize. But so very many do not cross over and remain life-long dreamers of the dream, visionaries. What can be more sad than to dream of

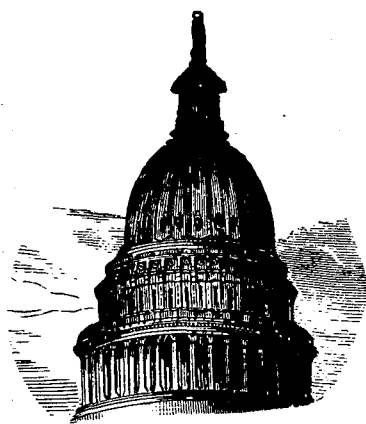
being the assistant secretary for something or other and dream that dream while stuck in a traffic jam on the Fourteenth Street Bridge, knowing that if you don't get home in time the laundry will close and the shirts you sent to have cleaned won't be able to be picked up until tomorrow...and besides that, the toilet is leaking and you don't know how to fix it...and the rent is due...and it is Washington in the summer and the heat is smothering, heavy, sickening in its intensity and your car has no air conditioning...and three cars ahead of you, *there* is a black limousine with a driver and the man in the rear seat of the car is reading something by the light of a high intensity lamp...even New York City, which is hell, cannot create a torment like this.

Some—a few—awake from the dream and survive and even prosper. There are secrets in the heart of Lee-Harrison shopping center in Arlington that the Washington dreamer can never know or has forgotten, secrets of everyday reality, of buying food, of pushing carts laden with cherries and butter and ground beef through the A & P, of bringing suits and dresses to the dry-cleaners, of getting a haircut (waiting for the barber you want instead of taking your turn), of strolls on a quiet Sunday morning during the three weeks each year that Washington knows as "spring," going to the bakery to buy still-hot seeded hard rolls and then to the Drug Fair to buy the *Times* and then return home. There is a healing in reality, a balm in watching Little League games, an elixir of the spirit in listening each Sunday to the boring rambling sermons of an over-burdened priest in a suburban church built in the shape of a flying saucer.

One even can get to a point where, on those cold, clear winter evenings, one stands on the steps of the Russell Senate Office Building and looks across the street and sees...a beautiful building, bathed in light...but still, only a building.

And one can drive home and eat Spanish Rice with bacon and read the *Star* and watch some silly shows on television and read a bit and then go to bed in the dark, listening to the rhythmic breathing of one's wife beside you, and drift off to sleep...

It can happen. One can live and work and be useful in Working Washington. But if you have never, for at least a short while, had to endure the misery, the joy of the dream, you have missed something. Washington is, if nothing else, a land of dreams and never to have dreamed the great dream, at least once, is to have died a little, long ago. □



Beginning with Buckley

William Buckley's publisher notes the silver anniversary of God and Man at Yale.

Last October 15 marked an important date in the history of the postwar conservative movement: the 25th anniversary of the publication of William F. Buckley, Jr.'s *God and Man at Yale*. The impact of that book and the turmoil it caused are hard to imagine now, but in 1951 it was an instant best-seller that probably provoked more controversy, and was more widely reviewed and more passionately condemned, than any other book of the past generation.

Looking back, it could well be that *God and Man at Yale* was more important for what it did than for what it actually said. It challenged a concept which dominates university education, namely that knowledge is an end in itself, to be pursued for its own sake without regard for purpose or values; and, in addition, the book launched the career of Bill Buckley. To keep it all in perspective, it may be worthwhile to recall some other important dates in the history of the modern revolt against liberalism: Albert J. Nock's *Memoirs of a Superfluous Man* was published in 1943, F.A. Hayek's *Road to Serfdom* in 1944, and Richard Weaver's *Ideas Have Consequences* in 1948. *The Conservative Mind* appeared in 1953, two years after *God and Man at Yale*; it is indicative of the influence of this book by Russell Kirk that the word "conservative" is hardly used in the book that vaulted Bill Buckley, then two years out of Yale, into prominence. In *God and Man at Yale* Buckley described himself not as a conservative, but as an individualist. Now, a generation later, it would be difficult to conceive of the conservative movement without Bill Buckley: through his articles, books, public appearances, and his magazine *National Review*, but most of all, perhaps, by his manner and personality, he has given it style, has brought divergent factions together, and has become its representative figure.

The thesis of *God and Man at Yale* is clear, unequivocal, and easily stated. Buckley argued that Yale represented itself, and derived its support on the basis of this representation, as a great educational institution dedicated to upholding and handing on the basic values and traditions of American society, values and traditions that are essentially Christian and individualist. Instead of this, however, Buckley went on to say, Yale in its teaching and by its example was inculcating values which are contrary to the teachings of Christianity and, in the areas of economics and politics, collectivist. As for academic freedom—the sub-title of the book is *The Superstitions of Academic Freedom*—it had become nothing more than a "handy slogan that is constantly used to bludgeon into impotence numberless citizens who waste away with frustration as they view in their children and their children's children the results of *laissez-faire* education."

Buckley supported his argument with numerous examples of the attitudes of influential teachers and the contents of textbooks, and by describing the impact of a Yale education as experienced by a recent graduate who, having strong convictions of his own, was

well aware of what went on about him. He ended his book with a plea to the alumni, as the proper custodians of the university, to assert themselves, to demand, as the price of their support, that Yale represent the moral and spiritual values it claims to stand for and which the alumni themselves—or so Buckley thought—really believe in. Such a book, obviously, was a great challenge to Yale, and even more to the reigning orthodoxy of liberalism, and for a young man to throw such a challenge at one of the most strongly entrenched, self-satisfied, and influential groups in the country took courage and conviction; the fact that he survived it all is evidence both of his strength of character and the essential correctness of his position.

Although Bill Buckley, having been Chairman of the *Yale Daily News* as an undergraduate, had already made his views well known, Yale reacted to his book as though it had been invaded from outer space. There were news stories, editorials, letters to the editor, and a series of long, heavy-handed replies from various professors in the *Yale Daily News*; the *Alumni Magazine* responded equally indignantly to "the book," as it soon came to be called; and the university appointed a commission to investigate "the intellectual and spiritual welfare of the university"—making no mention of Buckley or the book—which reported, needless to say, that all was well. The first great blast from outside the Yale community came from McGeorge Bundy, who was then associate professor of government at Harvard. His review, which appeared in the November *Atlantic*, can be said, I think, to have set the tone of the "official" response to the book. Bundy found the book "dishonest in its use of facts, false in its theory, and a discredit to its author." In his reply to Buckley's rejoinder, both of which appeared in the December issue of the *Atlantic*, Professor Bundy, who must have been in a white heat of passion at the time, began: "When I sat down to review Mr. Buckley's book, I was somewhat concerned lest my readers refuse to believe that so violent, unbalanced and twisted a young man really existed." And Theodore M. Greene, professor of philosophy at Yale, from whom, therefore, one might have expected something better, began a long reply to the book in the *Yale Daily News* with the observation: "Mr. Buckley has done Yale a great service, and may do the cause of liberal education an even greater service, by stating the fascist alternative to liberalism so clearly that we can all see it for what it is...."

In fairness to Yale and the academic profession, it must be said that not all professors became so hysterical as Professors Bundy and Greene. Professor William K. Wimsatt, Jr. of the Yale English Department, also writing about the book in the *Yale Daily News*, commented: "The section on religion I do not find startling. The voices of militant scepticism at Yale have always sounded far louder to me than those of evangelism. Despite the genuine religious and moral outlook of many individual members of the faculty, the prevailing secularism of the university is palpable. I agree with Mr. Buckley that a good deal of superstition attaches to the term 'academic freedom.' The freedom of a citizen never has been and never can be complete—unless in a society about to dissolve. And the scholar-teacher does not escape being a

Henry Regnery, founder of the Henry Regnery Company, was the publisher of God and Man at Yale as well as The Conservative Mind, Ludwig von Mises' Human Action, and many other of the most important works in postwar American conservatism.

citizen....A professor's political freedom can surely be no wider than anybody else's, and his responsibility is surely somewhat heavier than that of many others." Felix Morley, former President of Haverford College, wrote in a long review in *Barron's* that: "...his well-reasoned and well-supported argument must be taken seriously...Mr. Buckley makes a case against current college instruction that cannot go unanswered." And Peter Viereck, in a not uncritical review in the *New York Times*, was able to say: "As gadfly against the smug Comrade Blimps of the left, this important, symptomatic, and widely hailed book is a necessary counterbalance."

We have come a long way since McGeorge Bundy characterized William F. Buckley, Jr. as "violent, unbalanced, and twisted" to the point of being unbelievable for having pointed out a situation which subsequent events—the student revolts of the 1960s, among others—have made obvious. While the universities themselves have proved Buckley to have been right in his basic thesis, the immediate impact of the book, in spite of the storm it aroused, was probably slight, at least on Yale. As Bundy confidently predicted they would, Yale alumni contributed more to their university the year after the publication of "the book" than they ever had before, thus confirming Joseph Schumpeter's famous remark that the bourgeoisie not only educates its enemies, but permits itself to be educated by them. The great question the Buckley book raised, however, still remains unanswered, and asking it may have been its greatest service: If those entrusted with handing on "the sustaining intellectual and moral structures of civilization" (the phrase is Eliseo Vivas') instead disparage and

subvert them, where are we to turn?

How does one account for the remarkable impact of a book which, as Dwight MacDonald observed, was "a non-fiction work by an unknown author put out by a small publisher and dealing with no broader or livelier topic than the Yale curriculum"? MacDonald's explanation, that "there is a big market today for anti-liberal polemics," explains nothing. The book was perfectly timed, of course—Yale was in the act of celebrating, with much ceremony, the two-hundred-fiftieth anniversary of its founding just as the book came out; but there was more to it than timing. The book was written in great style, the facts, however much one might quibble about this or that quotation or emphasis, were irrefutable, Buckley's personality and skill as a debater were invaluable promotional assets, and Yale is a major American institution. There is also another factor, and this might be the most important one: Buckley, as I said at the beginning, challenged a concept of knowledge and of teaching which has dominated the universities for at least a century, and which many people, perhaps more instinctively than explicitly, were beginning to feel uneasy about. Hiroshima and Nagasaki had demonstrated with startling clarity that knowledge, pursued for its own sake and without regard to value or purpose, can give us the means to destroy ourselves. Bill Buckley put an issue before us for which there is no simple solution, but which becomes every day more pressing: How do we control the universities? His solution, that the alumni must step in and take over, was obviously no solution, but the question remains. □

Joseph Hazan

Why France Belongs in NATO

*France's re-entry into full military status in the Atlantic Alliance
would breathe fresh vigor into the Free World.*

A great power play is in the making in Western Europe. It began with the oil crisis of 1973; now it threatens to make the whole continent a Soviet sphere of influence. While the Communist threat in Western Europe looms large—perhaps larger than ever before—NATO, the treaty organization designed to defend Western Europe, lies weak. The Soviet Union continues to devote ever larger proportions of its Gross National Product to its military forces, despite a lagging national economy. The Warsaw Pact forces outnumber those of NATO 3 to 1 in manpower, planes, and tanks, and the Communist forces are deployed offensively, whereas the readiness of United States armed forces in Europe is, in the words of the U.S. General Accounting Office, "woefully deficient." Meantime the Communist political opposition within Europe presses ever harder to accede to power. In Italy, a Communist takeover of the parliament was averted in last summer's elections, but the Communists continue their insidious penetration into the highest levels of government. Communists now lead the most powerful—and still growing—labor organization in Spain; the revolutionary leftists of Portugal, denied power last year in the first elections since Salazar's demise, wait anxiously for a false step by the Socialist minority government; in the United Kingdom the extreme Left is becoming increasingly vocal while the Labour Party tries desperately to avoid a major economic catastrophe.

Joseph Hazan, a French chemical engineer and consultant, is presently writing a book, Freedom Will Conquer.

But France appears to stand aloof from this power play, her allegiance to NATO shaken since General de Gaulle withdrew France from the integrated military command in 1966.

Gaullists claimed that France's adherence to the NATO integrated command would hazard dragging her into a conventional war in remote Angola or Indochina, or worse, into a nuclear conflict. Yet in the light of global realities, there must be doubt as to whether a country like France, if it acts alone, is not in the end working against its best interests by profoundly weakening NATO. In the only valid sense, French national independence must be understood as the condition wherein French values are best preserved. And the aims of Soviet foreign policy pose a far greater menace to those values than would the most constricting alliance with the United States. Throughout history, even the greatest of empires have relied on alliances to defend themselves. And the mark of a true statesman is to recognize in time the necessity for alliance. It is in light of these observations and my faith in alliances that I should like to re-examine briefly France's Atlantic policy of the last two decades and to suggest what its new orientation should be.

One of General de Gaulle's first major moves after regaining power in 1958 was to propose that NATO be led by a tridirectorate of France, the United Kingdom, and the United States. It is vital for Gaullists to remember this because they tend to forget that de Gaulle's initial choice was not independence but integration in a system where France would be on a par

with the U.S. and the United Kingdom.

It remains an open question whether France's proposal for a tridirectorate was the best course; the Americans and the British, at the time, were unconvinced. The United States had not yet tasted defeat (Vietnam) and could see no serious threat on the horizon; the dollar was king. The British lived on the illusion of their glorious performance during the war; their economy did not yet show the signs of weakening; they had so far refused to join the Common Market.

For the Anglo-Saxon leaders of the Free World, France's strength still had to be proven. The memory of her humiliating defeat in 1940 lingered while her difficulties at decolonization—the rout in Indochina (1954) and the Algerian upheaval which started in earnest in 1956—were blemishes on the West's democratic image before the Third World at a time when America still had an angelic reputation. What is more, France's economy lagged in a 19th-century style. The Anglo-American refusal to set up a tridirectorate can therefore be understood, but with hindsight it can also be seen that the United States and Great Britain misjudged both their own latent weaknesses and General de Gaulle's capacity to turn France into a disruptive force within the Atlantic Alliance.

It was only after the proposal for a tridirectorate fell through that France mustered every available stratagem for an anti-American offensive: the attack on the dollar in the gold-standard controversy, the military withdrawal from the NATO integrated command, vocal opposition to America's presence in Indochina and elsewhere in the world.

Seeking allies to increase his pressure on the Americans, General de Gaulle consolidated France's entente with Adenauer's Germany. De Gaulle adroitly took advantage of the feeling that only France could absolve Germany of its guilt feelings from the Nazi era; his flattering speeches warmed many Germans to a friendly posture, and in some circles even won him the sobriquet, *Unser General* (our general). No doubt he hoped to attract other members of the Common Market to create a counterweight to the United States within NATO. His thinking might have been that if America would not admit a tridirectorate with France holding a major position, perhaps she could be obliged to accept one with Europe, led by France or a Franco-German condominium, as a principal partner.

To what extent de Gaulle was bluffing in these maneuvers, we cannot be certain. Be that as it may, it has been a constant of French foreign policy in the last fifteen years to try to separate and distinguish Western Europe, and especially Germany, from the United States on all major international issues.

America responded by applying pressure to Germany to reaffirm its commitment to the Atlantic Alliance. The move was easy for the Americans, since the Germans could not and still cannot do without America's nuclear protection, or even conventional forces, in the face of the Soviet-Warsaw Pact buildup. Germany has emerged as the real winner in the Franco-American confrontation, re-establishing its political and economic significance to the point of becoming the dominant factor in Western Europe today.

In a larger sense, both France and the United States—indeed all the Free World—have been losers in the Franco-American feud. True, France transformed her old colonialist image to one of solidarity with the Third World, but in so doing helped turn world opinion against American policy everywhere. Within the Atlantic Alliance, France failed to polarize European nations into pro-French and pro-American camps, but she succeeded in retarding and confounding the political organization of Europe, and consequently its military defense.

Whatever justification there may have been for French policy in the sixties, today the situation is different and the danger very pressing.

The deep and recurring recessions and the accelerating inflation caused by the sudden five-fold oil price increase have created or accentuated political crises in several European countries: Portugal, Italy, Great Britain, and France to name a few. As a result, the leftist factions and the Communist parties in these countries are in a position to lure the electorates into thinking that

their venue to power would bring back to the masses the steady growth in their standards of living which they had been enjoying since World War II.

This in fact is an illusion since the latest increase in the price of oil (equivalent to a 50 to 70% increase over the 1973 price) will quickly send the industrialized nations back into a new recession and keep them going on the road to increased poverty, no matter which political party were in power. But irritated and impoverished electorates may still call leftist regimes to power, as they look for an alternative to their growing discontent.

The weakening and gradual disintegration of the Atlantic Alliance, which one or more Communist-influenced governments in Europe would cause, might very soon force the American armed forces from Europe without the Soviets having to fire a single shot themselves—as was the case in Vietnam.

For a country like France to continue stressing the theme of "national independence" under the present conditions is in fact to prepare her passage from dependence upon the United States to a merciless colonization by the Soviet Union.

The real choice for the French people, and indeed for all the peoples of the Free World, is between an alliance with the U.S. and one with the Soviet Union; unfortunately real independence does not exist. One may deplore this fact, but it is useless for the leaders of the Free World not to acknowledge it nor to show the courage of stating this alternative plainly to their peoples, while there is yet time.

In spite of this apparently glum picture, all is far from lost. Dissensions now mar the union of OPEC countries and we do not have to face the implacable and united front of three years ago. There are increasing pressures for national independence in Eastern Europe; the growth of Soviet military might and involvement throughout the world has taken its toll within Russia, stunting internal economic growth; large numbers of Soviet intellectuals now question totalitarian authority, as illustrated by an endless list of cases like Solzhenitsyn's; this in turn breaks down the unlimited faith and solidarity which Western European working classes had in the utopian Soviet regime, and the hypocrisy of their own Communist leaders for the last 20 years is a theme that can be repeatedly drummed upon.

What is needed to top this is a gesture of dramatic psychological impact and France is in an excellent position to deliver it, since she has acquired a reputation for international nonpartisanship during the Gaullist regime and its aftermath.

The French leaders should come out publicly and strongly to say that in view of the danger at hand they have decided to re-enter NATO with full status. President Giscard d'Estaing has made some timid and surreptitious steps in this direction, but this is quite insufficient. What is required here is a knock-out punch, not a homeopathic treatment. Such a policy statement would have a triple effect.

First, within the Atlantic Alliance and in particular in Europe, it would create a renewed enthusiasm, a greatly yearned-for togetherness and sense of common purpose. It would give fresh vigor to all democrats in the Free World.

Second, the Soviets, the OPEC countries, and the whiners of the Third World (to be distinguished from the serious members of the developing group of nations) would know that they would henceforth be facing a redoubtable front of nations whose toes are not to be trodden upon.

Third, the Free World would be in a better position to pressure the OPEC countries into substantially lower oil prices, which in turn would permit the world economy to bounce back into a healthy growth orbit and ipso facto significantly reduce the economic and political turmoil we are in.

Finally, we should add that France should have no reluctance in making such a move because since the initial Gaullist attempt to install a tridirectorate the balance of power within the Atlantic Alliance has changed sufficiently for it now to have a better equilibrium between its constituents; none will feel dominated, and on the contrary, a real sense of the interdependence of the democratic nations of the world would be publicly revealed and enthusiastically accepted. □

David Everitt

"He's Just Playing John Wayne"

*The ultimate measure of the Duke's abilities is that
so many think he isn't even acting.*

John Wayne has been a leading man for nearly forty years and his movies are estimated to have grossed more than any other star's. To call him just a notable actor or star seems inadequate. For millions of movie-goers he has become a living mythic figure. For his fans, his two-fisted image symbolizes all that is admirable about the American tradition (in short, the "old-fashioned" values and the frontier spirit), and for his disparagers he represents everything wrong with that tradition (he is, and probably always will be, the only actor to have been challenged to a debate in Harvard Square.) Both cases testify to his remarkable position.

The cowboy loner is the definitive American hero, and while there have been other outstanding Western stars, John Wayne has come to represent this figure more than any others. Not only has he insisted on doing most of his own rugged stuntwork. He has also exhibited his cowboy heroism in his personal life, as when in 1964 he survived his bout with cancer. He "licked the Big C" and went to Durango, with only one lung, to hit the trail for his next picture and put away his usual quart of booze a day. One couldn't help but think that John Wayne the man was no different than the John Wayne in *The Horse Soldiers*, who would walk away from a bullet extraction on a makeshift operating table to lead a column of galloping cavalry.

It is intriguing that this image was in no way diminished by the fact that Wayne did not fight in the real adventure of World War II. Other leading men, James Stewart for instance, served and were decorated for their wartime efforts; however, Stewart, for all his talent and appeal and all the Westerns he's made, has not come close to the same hero stature. How has Wayne come to this position? What has set him apart from other Western stars? What is it about his persona that has captured people's imagination?

Wayne's early years in the movie industry were something of a bumpy ride. He got his start in the mid-twenties as a prop man, soon to become a double, stuntman, and bit player. In 1930 he got his first starring role in a big budget Western called *The Big Trail*. The movie was a big financial failure and Duke was quickly relegated to lower-class stardom in B Westerns. He languished in this capacity until 1939. But it was a highly active languishing, if nothing else, coming out with as many as eleven pictures a year. Among other things, he was the star of the Three Mesquiteers series and also enjoyed the dubious distinction of playing Singin' Sandy, the movies' first singing cowboy, well before either Roy Rogers or Gene Autry. Along the way, he played an important part in the development of the "pass system" (the now standard method of staging a movie fist fight) and did much to polish his spirited craft, but, with the exception of a small but faithful following in the South and Southwest, he remained an unknown, a star sharing a lower-bracket constellation with the likes of Buck Jones, Tim McCoy, Tex Ritter, and Johnny Mack Brown. By the end of the thirties he left this company for good. In his own words, there was one reason for this lasting change in fortune—John Ford.

David Everitt, of Great Neck, N.Y., is a recent graduate of the State University of New York at Buffalo.

Although a friend of his since the twenties, Wayne did not get to play a substantial role in any of Ford's films until *Stagecoach*. In this Western classic, under Ford's commanding, sometimes emotionally brutal instruction, Wayne gave his affecting portrayal of the honor- and destiny-bound outlaw, the Ringo Kid. The role established him finally as a star of the first order and the partnership between director and actor was to last for more than two decades, producing such American standards as *Fort Apache*, *She Wore a Yellow Ribbon*, *The Searchers*, and *The Man Who Shot Liberty Valance*. They also teamed up for some memorable non-Western films, including *The Quiet Man* and the stunning Eugene O'Neill adaptation, *The Long Voyage Home*. Starting in the early forties, Wayne went on to become one of Hollywood's major leading men, playing alongside some of the most notable female stars and distinguishing himself not only in action pictures, but romances and comedies as well. In 1948 his image hardened into the salty, leathery mold we are now more accustomed to when he played Tom Dunson, the unrelenting cattle baron, in Howard Hawks' *Red River*. By 1970, after winning his Oscar for *True Grit*, he had become more firmly entrenched than ever before in the Western and has since worked almost exclusively in that genre.

Wayne has never been properly appreciated, however, by critics. "He's just playing John Wayne," they say, and they have been saying it with a stubborn and downright uniformity for years. But this attitude displays as little understanding of acting as it does of John Wayne. In part the misunderstanding reflects an unthinking prejudice against Westerns, a feeling that "horse operas" are rarely worth considering seriously and playing a cowboy is just not acting. Wayne's detractors also seem not to understand the rare ability to appear natural on the screen, to mask the technique necessary to produce this naturalness, a technique that is thoughtfully considered and perfected by years of experience. Considering the larger-than-life nature of the characters he plays, this apparent ease is all the more extraordinary. But it was not until he had been a star for thirty years that his talent received its proper critical acclaim, and that was for *True Grit*, in which Wayne altered his usual image and took on the guise of a character actor by putting on an eye patch. All the previous full-bodied portrayals were still virtually unaccounted for. Related to this odd critical standard is the tendency to take for granted an actor who maintains a great consistency of characterization. If a "natural" like Wayne were less of a professional and followed the Brando example by occasionally lapsing into awful, self-conscious performances, perhaps critics would take more note of his good renditions.

In an interview with the *Village Voice*, Clint Eastwood, seemingly the only candidate as the Duke's heir, made a revealing remark about his own critical invisibility. He says that maybe what really turns critics off about him is that "the kind of thing I do is to glorify competence." Over the years, Wayne's specialty has been to play characters of dignity and authority and to play them with conviction. But then, it seems, that's not acting. That's playing yourself. Acting is playing tormented neurotics. As if acting does not include portraying positive qualities, qualities of strength. ➔

In an unintentional way, this "he's just playing John Wayne" line is really an affirmation of John Wayne's accomplishment. His on-screen creation has become so convincing and so ingrained in people's thinking, that his would-be debunkers are themselves prone to the naive belief that the actor really is the Ringo Kid, Tom Dunson, Rooster Cogburn, that he really is capable of scaling up to the roof of a speeding stagecoach to hold off an Indian attack with a blazing Winchester. This persuasive illusion, this confusion between the man and the myth is the culmination of his professional skill and imposing presence, and this is what is being inadvertently admitted.

And ultimately, what does this man-myth illusion amount to? What is its attraction?

John Wayne's true importance may be as a symbol of permanence. In times when nothing is permanent, when so much is brought into question, when the trend of one month is likely to become subject for nostalgia in the next, the Duke remains a fixed point of reference, embodying a firm moral stance. In the Wayne persona, for at least two hours of screen time, we can latch onto

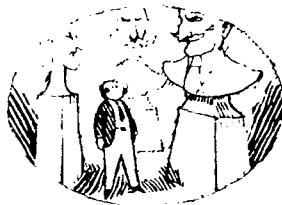
something definite and authoritative, a force that is bound to succeed and may do so with an innate decency. He is the dream of what a single man can do. He will root out the bad man, who is a loathsome snake for sure, and when the time comes for him to go for his gun the snake will be as good as dead and gone and that goes for every mother's son of them. He can get rough with the lowly punks without fear of trampling on legal niceties and he can make a courtly bow to a fine lady, not out of a patronizing sexism, but from a bigness of spirit.

No doubt this is exactly what some people object to about John Wayne, seeing him as a symbol of westward imperialism and nineteenth-century social and legal values. However, this is a misreading of his films, for they operate on the level of entertainment and positive fantasy. To apply political definitions to these adventures is inappropriate, because, at their core, they are visions of what should have been, not what necessarily was. The Duke's manner of style and bearing outweighs any current political theory. □

EMINENTOES

by

Philip Terzian



Metamorphoses, or the Story of John Dean

If John Dean had not existed, it would have been unnecessary to invent him. Wherever ambition and mediocrity form their unholy alliance, there the John Deans will be. Even his name has a kind of symbolic simplicity about it—"John Dean" rolls so trippingly off the tongue that it could not serve as anything but allegory. His history is the 1970s pilgrim's: his career, such as it is, has wandered from one temptation to another, whoring for whoever or whatever has come along to summon him forth, now this, now that; yesterday's villain, today's hero. Believing in nothing, he is prepared to believe in anything, and as surely as his right index finger is wetted and held in the breeze his prodigious memory and insatiable appetite will find some—find any—outlet. He has served both God and Mammon, *Rolling Stone* and John Mitchell. What is next?

Of course, the importance of John Dean rests in the importance of Watergate, which I tend, perhaps unfashionably, to underestimate. It is problematical whether the decline and fall of Dick Nixon was, apart from a Presidential first, any sort of station of the cross in American history. Thanks to journalism, it seemed so at the time. In a world of shallow events and shallow interpretation, surely everything counts and nothing matters. How feverishly we tear the copy from the wire, pour the coffee down our throat, tap out the leader, grab that taxi, shove that microphone, run, shout, pursue the glimmering illusion. How often have we stood around in mindless boredom, fingering our buttons and staring into space as we await the sacrament administered by Ziegler, Nessen, Powell.

Philip Terzian is on the staff of the New Republic.

All expense of shame, as Malcolm Muggeridge has said, in a waste of spirit. So soon after Watergate's climactic events, what of them today? Are its characters more memorable or more venal than Teapot Dome's, or Grant's cabinet? What was once fodder for our secular sermons, its lessons already collect dust, drop peacefully into restful sleep. All we remember now are the faces and the voices, and in another generation, perhaps sooner, they will be forgotten, too. How vivid they were: the leering, twitching President, contrite Segretti, pious Magruder, ponderous Mitchell. The Brush, maniacal Liddy, Ehrlichman the bearded New Mexico novelist, Strachan, Kalmbach, LaRue, Gray—the quivering bowls of jello—Baker, a snake in snake's clothing. And John Dean.

Dean was the central figure in the tortuous process, from the initial cracks in the cover-up through the damning revelations of the tapes. All through Nixon's death agonies his owlish smile hung suspended, awaiting the inevitable. As his testimony was eagerly awaited and consumed, so has his book (*Blind Ambition*, Simon & Schuster, \$11.95) been pounced upon and stamped with authority. And, undoubtedly, with good reason. As few others did, Dean told the truth to the Ervin committee, and was vindicated. His version of events must be accepted as reliable, or roughly so. Of course, his competition has not been fierce. No single event since World War II has inspired so massive an onslaught of unworthy books as Watergate. Those with something to hide, naturally, have had little to say. But, oh! beware of those on the side of the angels. Each has weighed in with a mighty tome, one more turgid than the other, recounting the familiar events from their worm's eye view, celebrating their prescience or grace under pressure, revealing a vignette or two good for a wire-service story. *I Was Hitler's*

Chauffeur has been turned into *I Was Lowell Weicker's Haberdasher*, and there is no end in sight.

Dean, however, offers the first authoritative, insider's account. Everyone else was a spectator, really, no more privy to the White House machinations than we the ignorant public. It was a measure of Dean's unique abilities that, at his tender age, he was given responsibility for the cover-up. He plunged into his assignment with boyish enthusiasm, managing at once to keep the code names straight, prompt perjurers, and hire bagmen—all the customary duties of a counsel to the President. And to maintain, of course, that smooth exterior so valued by the Nixon White House ("the tougher it gets the cooler I get"). Remembering the smug insouciance with which questions were treated at the time, it is pleasant to learn of the panicked gyrations around the Oval Office. It is possible with hindsight to see the gathering whirlwind as the cover-up is assembled, but Dean certainly didn't see it, at least not until it threatened to reap him. Grand juries, as Dr. Johnson might have said, wonderfully concentrate the mind, and it was around them that Dean began to ruminate, in his methodical way, about blind ambition.

The events, as Dean recounts them, lead inexorably to the climax: but halfway through, the scene leaves the White House, and the balance of the book is occupied with Dean's problems. They have an unreal air about them. Dean breaks into a cold sweat, he pours still another glass of scotch, Mo bursts into tears, Dean straightens his tie and takes it like a man, he feels buoyed, betrayed, abandoned; Mo bursts into tears again. Dialogue between Dean and his two-fisted, hard-bitten, best-in-the-business criminal lawyer (who, incidentally, seems to have helped him not at all) is so contrived as to be silly—i.e., "Now," he said intently, as if he had said all there was to say, "are you ready to go down there and lay out the facts?" "I think so, Charlie," I gulped.

And, of course, he did. But what is it that makes him so unconvincing, so unlikeable, and why is he a modern hero so characteristic of the age, and so unworthy of praise? Well, there are the circumstances under which he finally did tell the truth. It is all very well to fall down on the road to Damascus, and it is both natural and charitable to clasp a prodigal son to our forgiving selves. But Dean underwent no conversion of the spirit at all. He is a survivor, not a repentant. He was prompted to change sides by the upheaval of circumstances, not by conversion or remorse. He understood nearly too late the depths of dishonor among thieves, and cut his losses while he could. Very smart. This makes Dean credible, but scarcely worthy. Dean the manipulator and Dean the tactician is

the same fellow outside the White House as in. He plots and consorts with the Watergate prosecutors as readily as he did with Haldeman and Ehrlichman, sharing their prejudices, laughing gaily at their jokes, scuttling his past allegiances, all the while remaining the essential Dean inside.

After all, what is more contemptible, a true believer or a chameleon? Dean is a quick study, and just as his labors in the White House carried him ever upward, so his lamentations enchanted the public galleries. He is eager—too eager—to offer Nixonian quirks and revealing anecdotes; he knows too well the mean spirit that lurks in all of us, how quickly the benign becomes the malignant. He has been transformed into the supplicant come to his senses, a victim, as it were, of blind ambition, who spreads before us the sordid mysteries of his past life. Nonsense, to be sure. He might just as easily have recoiled in horror from the cover-up while he was its mastermind as when he was its terror. And suppose the cover-up had worked? Would anything but his own skin have compelled him to speak up, and out?

In speaking out, of course, Dean found his metier, and in between the labored accounts of plea bargaining and criminal statutes a sigh of relief is audible. Only in recounting his dramatic appearance before the Ervin committee does anything like the authentic voice of Dean come through. It is downhill from there. No more paradox to explain, no more tortured rationale to concoct, the moral compass points westward where the klieg lights are bright, and John Dean is ready to let fly.

It may have been that he was once seduced by the glimmer and blandishments of power, a political acolyte watching in horror as the high priest fumbles and slobbers. But no more. There will be no more boozy nights wasted at Mo's expense, no more fingernails bitten to the quick, dodged questions, festering knowledge. The televised hearings served a dual purpose for Dean. They were at once confessional and unveiling. It seemed at the time that they served as a purgative for him; an opportunity to present his compelling case, to speak the awful truth, to confirm, indeed, what was generally thought. That is how it seemed, and that, certainly, is how it was played. Dean's demeanor was subdued, almost apologetic. But it turns out that all the elements so convincing were in fact calculated—his glasses, haircut, monotonous voice, deferential manner—all carefully tailored to the script. Our morality plays, it would seem, are just plays after all, and public life just a process of planning and preening.

And as for the unveiling—well, the hearings were only the beginning. We must be inured to it by now, the phenomenon of

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being famous for being famous. So long as convicted murderers are negotiating film rights at the eleventh hour, it seems reasonable that John and Mo Dean should soon be surrounded and propelled by all the vast engines of modern publicity. Mo, certainly, was sent down by Central Casting. She sat resolutely behind her husband throughout the hearings, her blank face and enigmatic smile enchanting the nation with its discovery of a lobotomized *Gioconda*. The two of them went on to play out their fifth act stoically, the fifth act being prison, featuring the

honorable surrender, despairing wife, unexpected pardon, and tearful reunion. Since then John has pursued every profitable avenue, settling at last into his current metamorphosis as journalist. Appropriately, he is to be found in the pages of a journal devoted to rock music. Rock music is similarly a phenomenon of our times—most of its classics are jarring and inarticulate, usually of three to five minutes duration, the fashionable grist of scholars and publicists. John Dean has truly sailed into harbor. □

BOOK REVIEW

The Dunne Family

James T. Farrell / Doubleday / \$8.95

John Chamberlain

This is Jim Farrell's fiftieth book, published in his seventy-third year. The amazing thing about it is that it shows no loss of ancient skills, no diminution of the ability to project character alive and kicking—mostly kicking—onto the printed page. If the subject matter seems repetitious to one who must have read half of the Farrell books, it is no great cause for objection. Jim Farrell has preserved his vitality by sticking to his own—the world of the South Chicago Irish who represented the first of those ethnic minorities that our politicians, every second or fourth year, cultivate so assiduously in spite of the theory that we are all Americans together.

I don't like ethnic politics. My reasons are obviously conventional: one should object to what goes on in the Iron Curtain lands, for example, not because one has a Polish uncle or a Hungarian wife but because brutality is obscene wherever it occurs. It is the individual that counts, not the race. But novelists deal with what is—and ethnicity is part of the American world which Farrell, in a book title adapted from an A.E. Housman poem, calls "a world I never made." Unlike the protagonist of the Housman poem, Farrell has never been a stranger and afraid in his own world. He has encountered its often horrifying and sometimes tender realities without quibble or distortion.

Though I am what I suppose should be called a Yankee, I knew Farrell for real the first time I made the acquaintance of his character Studs Lonigan. I grew up in New Haven, Connecticut, one block away from the Italian Oak Street slum. We on Park Street were rivals of those who were inele-

gantly called wops and guineas in that day when racial slurs were accepted and shrugged off. We didn't hate the wops because they were Latins; what we resented were the occasional incursions they made on our own turf.

So you might think it was Yankee against Italian, only it wasn't. Our Park Street gang included, besides a Ray Montgomery and a Linwood Tower, a Pole (Sinosky), a Jew (Silver), a German (Zimmerman), a Swede (Swebelius), a black (Clue), and an Irishman (Murray). We were an ethnic foreign legion. Willie Murray was the most imaginative of the bunch: I admired his vocabulary, and had my mouth washed out with soap for bringing some of his words home with me.

The Irish had the edge on the Italians in those days because they had come to America a generation earlier. When I met Studs Lonigan and his friends, I had a sensation that I knew every last one of them. I don't know why Jim Farrell asked me to do the introduction to the Modern Library edition of his Studs Lonigan trilogy (we always seemed to talk baseball when we got together in the New York City of the early thirties), but I leaped at the chance. Using slightly disguised names, I identified Tom McHugh, Dick Coyle, Jimmy Cline, Jimmy Corrigan, and others who used to patronize the pool room over Longley's Lunch in New Haven, with individuals in Farrell's South Chicago retinue. I omitted mention of Tom Bergin, who might have been likened (in his teens) to Danny O'Neill, the "dippy punk" who was too intellectual to feel easy in Studs' gang. Tom parlayed his facility at learning languages into a Dante professorship at Yale (Italian was the best of his ten foreign tongues) just as Jim Farrell (he was Danny O'Neill, wasn't he?) parlayed his facility with one language, English, into the fifty books he has had published and the three or four he still has on the back burner.

The Studs Lonigan trilogy was so searing in some of its scenes (especially the rape scene that climaxes *The Young Manhood*

of *Studs Lonigan*) that Farrell has had difficulty in surpassing it. So it was probably inevitable that, as book succeeded book, Farrell's place in American literature came to be taken for granted by critics who ran off to talk about Hemingway, or Fitzgerald, or the proletarian novel, or whatever. In a way, he has suffered the fate of his great forerunner, Theodore Dreiser, who is part of our literature but not a salient feature of our literary discourse.

Farrell had the misfortune of coming to New York just after Mencken, in his "bulldog" work for Theodore Dreiser, had bested Puritanism as a literary force. I remember the era vividly. Stuart Sherman, the Illinois professor who hated Dreiser, had replaced the pertinacious Burton Rascoe as editor of the *Herald-Tribune* Sunday Book Section. But Sherman had already gone over to Rascoe's more "modern" values. The Genteel Tradition was dead, by virtue of Mencken's onslaught and Sherman's desertion. Realism was taken for granted. Nobody of consequence objected to Dreiser, Sinclair Lewis, or Jim Farrell, as purveyors of the post-genteel criteria of truth.

The younger critics, however, wanted what Dorothy Dudley, in her great *Forgotten Frontiers: Dreiser and the Land of the Free*, has called "a fused native art... as bold as Dreiser's and more choice in manner." Our Malcolm Cowleys and Matthew Josephsons and Kenneth Burkes made shapeliness and sensitivity, not power, their critical touchstones. The new fashion exalted Glenway Wescott saying goodbye to Wisconsin in beautiful sentences. e.e. cummings, the lower case kid, wanted a poem that would be something more than the Sandburgian or the Whitmanesque yawp—his Buffalo Bill rode, not a white horse, but a watersmooth silver stallion. Hemingway's prose was "lean, hard and athletic," but its athletic qualities were those of a gifted wide receiver, not the muscularity of the "toad" who opens holes in the line. And Fitzgerald's rhythms

John Chamberlain, the veteran journalist, is a columnist for King Features Syndicate. Over the years he has served as daily book critic for the New York Times, and he is author of Farewell to Reform and The Enterprising Americans. In 1938 he wrote the introduction to the Modern Library edition of James T. Farrell's Studs Lonigan trilogy.

were as deftly ordered as anything in James Joyce.

Competing with the new tradition of the "fused native art...more choice in manner," Farrell had to fight his way. Yet certain critics—William Troy was one, Clifton Fadiman was another—saw considerably more than Dreiserian boldness in Farrell's works. From the beginning he has made his sentences carry the rhythm, the tilt, of Irish-American speech. Studs Lonigan wanted to be "strong and tough and the real stuff." Taken singly, the words—strong, tough, the real stuff—are commonplace. But, put together as Farrell puts them, they come off the tongue as neatly as Cummings' "watersmooth silver stallion."

The members of the Dunne family—the two brothers who failed at different times

in "the shoe game," the mother who boasted in her wheelchair that she was still a "hard woman," the self-pitying and occasionally drunken daughter Jenny and her pious sister Nora—think and talk in the clichés of their South Chicago milieu. The old lady Grace Hogan Dunne, who came over from the old sod during the Civil War, is not long for this world. Larry Dunne, who dies of paresis and tuberculosis, was always going to get a job, but you can lead a horse to water and still fail to make him drink. Superstitious, the Dunnes are always knocking on wood. When Nora's children shuffle off delinquent spouses, it's good riddance to bad rubbish. Dismissing her niece's husband, Jenny says he's not worth the powder to blow him to hell. You and I have been using these threadbare expressions all our lives, but

we could not make them come out with a lilt the way Farrell does. It's threadbare language in flavorsome voice.

The end is a picture of the times—the thirties, when a job on WPA was equivalent to hope of heaven—that is absolutely grueling and most depressingly real. The Irish, like other ethnics who had not had time to amass property, had to live through the period.

Fashions come and go. But the best of each succeeding fashion works its way into the schools. Hemingway and Fitzgerald may have displaced Dreiser and Farrell for a while, but all four are now together in the pantheon of twentieth-century classics. Farrell, like Conrad, makes you see. But above all he makes you hear. □

BOOK REVIEW

To Jerusalem and Back

Saul Bellow / Viking / \$7.95

Naomi Decter

A year ago, Saul Bellow spent several months at the Jerusalem artists' colony Mishkenot haSha'ananim. As a visiting luminary, he met with prominent Israelis; as a Jew in the Holy Land, he saw friends and relatives, and wandered around Jerusalem; as an intellectual in a foreign country, he read up on the area, and pondered what he read, what he saw, and what he heard. *To Jerusalem and Back* is Bellow's diary of the trip.

The trip proved rich in material for Bellow the storyteller. On his flight to Israel he meets a young Hasidic Jew, and Bellow's description of the inevitable confrontation over an unkosher chicken dinner perfectly evokes all the emotions roused in the lapsed-of-faith by the pious. Bellow is amused, touched and irritated, especially since the Hasid's importunings are not without effect: "I turn to the twice disagreeable chicken and eat guiltily, my appetite spoiled." Bellow scrutinizes the people he meets and recreates them, as perhaps only a novelist can, in a series of small, sharply-drawn portraits. Mayor Teddy Kollek, respected by all factions in Jerusalem, and "Israel's most valuable political asset," "virtuously" has only a salad for lunch, then polishes off an entire dish of sweets for dessert. An Armenian Archbishop, who himself prepares the food for a dinner at his luxurious Jerusalem apartment, is offended when one of his guests smokes between courses: "This is

Naomi Decter recently spent four years in Israel, studying at the Hebrew University of Jerusalem.

inculte." Shimon Peres, Minister of Defense, "carries an aura. The shine of power is about him." Peres comes to lunch not to discuss politics, but eager to talk with a fellow writer.

Bellow's descriptions of Jerusalem are no less evocative. He captures the odd contrasts of the walled old city, its ancient and beautiful structures surrounded by modern bustle and filth. He notes the ugliness of post-British architecture in the new city. And looking out over the hills of Judaea, he feels that "the light of Jerusalem has purifying powers and filters the blood and the thoughts." He declares himself willing to believe, with the psalmist, that that light may be "the outer garment of God."

But the sightseeing and storytelling are really only small diversions. For *To Jerusalem and Back* is the journal of a man who is concerned ultimately with weightier matters, in a country where no political fact or event is ever taken lightly. Bellow is worried about the world, where "the eagerness to kill for political ends—or to justify killing by such ends—is as keen now as it ever was." He is worried about Israel, where "there is one fact of Jewish life unchanged by the creation of a Jewish state: you cannot take your right to live for granted." In Israel Bellow is surrounded by people who share his worry; he has come there to hear what they have to say. And from the moment he arrives, he finds himself caught up in the "gale of conversation—exposition, argument, harangue, analysis, theory, expostulation, threat and prophecy" that is standard Israeli fare. At

dinner with the Armenian Archbishop, at lunch with Teddy Kollek, in meetings with other Israeli statesmen and thinkers, as well as with friends, the talk centers on the urgent political problems of Israel and of the world. In addition, Bellow reads and quotes from the writings of others equally concerned, among them Walter Laqueur, Elie Kedourie, Herman Kahn, and Lev Navrozov. People and scenery provide but brief respite; but Bellow is inevitably drawn back into contemplation of the most pressing issues. Is Russia really a threat to peace in the Middle East and in the world? Is the United States capable of dealing with that threat? Can the Israelis trust Kissinger? Should they accept the creation of yet another hostile state in their already dangerously unfriendly neighborhood? Are they, do they have an obligation to be, a just society in a universe of injustice? Can they hope to survive at all? These questions constitute the daily catechism of the Israeli—only this catechism comes without answers.

Nevertheless, despite its apparently desperate situation, Israel is not a desperate country. If Israelis cannot take their right to live for granted, they live very much as if they could. They build ugly buildings; they complain about taxes; they gossip about corruption in high places; they worry about making a living. They even know how to have a good time. Like Bellow's friend John Auerbach—a survivor of the Holocaust who found refuge in Israel, only to lose a son to the Yom Kippur War—they while away pleasant afternoons with friends; their grief becomes an addi-

tional criterion in the daily measurement of life's small pleasures.

Bellow clearly has his share in those small pleasures, and *To Jerusalem and Back* fully reflects his enjoyment. The book is not, as such a book might easily be,

unhappy or discouraging. On the contrary—and perhaps despite himself, for he is far from sanguine about Israel's prospects—Bellow's portrait of Israeli life, its ordinary routine against a background of impassioned argument and continuous danger, is

reassuring. For the occupation with affairs of daily life in a hostile universe is unquestionably a Jewish habit. And the Israel of *To Jerusalem and Back* is in this sense undeniably a Jewish state—no small asset, given the Jews' record of survival. □

BOOK REVIEW

The Health Hazards of Not Going Nuclear
Petr Beckmann / The Golem Press / \$10.95

Eugene Bardach

Petr Beckmann's short book *The Health Hazards of Not Going Nuclear* is squarely in the genre of the political tract. True to type, it is cranky, paranoiac, and abusive. It is also intelligent, informative, readable, and persuasive—persuasive to me at least. Before reading Beckmann I had been somewhat skeptical of nuclear power, but, it seemed to me, open-minded. Unfortunately, it will take more than mere open-mindedness to permit Beckmann's useful analysis to take hold in a larger public. One must also be able to overcome aversion to his political crankiness. Among the (probably small) population of persuadable skeptics, I doubt that more than a small proportion have the required tolerance. It is truly a pity that Beckmann should have cut himself off from that larger readership to which he would be entitled by virtue of his interesting substantive arguments.

One of the first lessons we teach our students at the Graduate School of Public Policy is that decision-makers must always consider the option of "permitting present trends to continue without interference." While a new technology might have its problems, these must be evaluated in the light of the problems associated with the old technology for which the new might substitute. Most analyses of nuclear-power risks, however, fail to examine the dangers of "not going nuclear." Beckmann argues that the problems of nuclear power are minor in comparison with the problems of sticking with the familiar technologies based on fossil fuels.

Consider, for example, the probabilities of a reactor meltdown in conjunction with the probabilities of explosion of an oil storage complex. The former are one in 20,000 per reactor year. Not surprisingly, a meltdown has never occurred. Nor—as Beckmann convincingly demonstrates—has a meltdown even come close, even in the well-publicized cases of the Browns Ferry, Alabama, fire of March 1975 and the emergency shutdown of the Fermi I reactor near Detroit in October 1966. In

contrast, a 90,000-barrel oil storage complex in South Brooklyn caught fire and exploded in January 1976. This followed by only three years a major oil storage tank fire in Bayonne, New Jersey, started by the collision of two nearby ships. In both cases, the explosions created deadly billows of oily black smoke that would have caused many thousands of deaths had the wind and temperature conditions been slightly different. This element of atmospheric chance is particularly instructive—since it affects the potential consequences of a reactor meltdown too. The only adverse effect of a meltdown is the release of radioactive gases which would ordinarily dissipate harmlessly into the atmosphere unless a temperature inversion were combined with a slight wind. In addition, the wind would have to blow the gases towards population centers if humans were to be affected directly. (Of course, the chances that the gases would escape from the 3½-foot steel-and-concrete containment dome that encases any reactor are close to zero. So, one need not rely on the whims of Zephyr and Aeolus to protect human populations.)

The routine, day-to-day, health and safety risks of nuclear power generation are essentially zero, according to Beckmann. This is due mainly to the stringency of the standards enforced by the Nuclear Regulatory Commission (NRC). The granite in Manhattan's Grand Central Station, for instance, emits more radiation than an NRC-licensed reactor facility. Although safety standards have occasionally been faulted for being too low, and the enforcing agency (the Atomic Energy Commission and later the NRC) often faulted for tolerating non-compliance, the fact remains that no one working in this country's civilian nuclear power industry has ever died (or fallen ill) due to radiation poisoning. Beckmann goes to great lengths to develop the contrastingly poor health and safety record for fossil fuels. Coal mining, for example, in the late 1960s led to 246 fatal accidents per year. Nonfatal injuries and the high incidence of pneumoconiosis ("black lung" disease) make the contrast even more striking.

Beckmann, a professor of electrical engineering at the University of Colorado, is perhaps most informative on the subject of nuclear waste disposal. For years the AEC pooh-poohed the problem, and nuclear advocates assured us it was trivial and easily solved. But they did not solve it. There are many possible solutions, it now appears, and Beckmann's favorite seems to be sealing the wastes into a certain newly-developed type of fireproof, waterproof, and earthquake-proof glass and dropping the glass cubes into deep geological salt formations. This solution is technically feasible and seems to me to present no difficult political or social problems. That is, there will be no need to have what Barry Commoner calls a "nuclear priesthood" watching over the wastes for thousands of years. Wastes in such a form are as invulnerable to natural hazards as one could possibly wish, and it is impossible to imagine why any human being should wish to tamper with them. Vandals, terrorists, and assorted mischief-makers would find hundreds of more available and useful objects with which to occupy themselves.

With respect to waste disposal, the contrast with fossil fuels is again instructive. Coal ash contains traces of poisonous heavy metals and carcinogenic hydrocarbons, but tens of millions of tons of coal ash are dumped in landfills every year in this country which are easily leached by rainwater. Indeed, the radium and thorium isotopes in coal ash emit radioactivity many times in excess of what NRC standards would allow if the NRC were responsible for regulating this waste.

Although Beckmann's arguments are generally rather compelling, he does not do as good a job as he could with respect to the possible hazards of nuclear theft and blackmail. He says theft is very difficult, that there are easier ways to apply blackmail, and that a "no-nonsense" deterrence policy will discourage would-be saboteurs and hijackers. All this is true. Still, we should be reluctant to put too much faith in psychology and politics. We should prefer technological solutions, provided they are available and not prohibitively expensive.

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They are indeed available, and the details, which Beckmann unfortunately omits, can be found in the authoritative book *Nuclear Theft: Risks and Safeguards* by Mason Willrich and Theodore B. Taylor. Willrich and Taylor estimate the costs of a highly effective safeguards system to be just over one percent of the total costs of operating the atomic power industry.

Beckmann also fails to mention the most important institutional aspect of the U.S. nuclear power industry, its linkage to international politics. Under the terms of the nuclear non-proliferation treaty, we are obliged to facilitate "the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy." Other nations, however, are not obliged to create a high quality institutional system to safeguard against nuclear theft. The International Atomic Energy Agency can insist on adequate safeguards, of course, but the IAEA has negligible enforcement power. If the IAEA cannot be much improved—and I suspect it cannot—then we must wonder what implications the development of our own "plutonium economy" might have for international relations and, more directly, for our national security. The United States may or may not be able to affect these worldwide developments very much. The options here are as murky as the problem is serious. The Committee for Economic Development (CED), in its recent study "Nuclear Energy and National Security," recommends full-steam-ahead development of our domestic industry and expansion of our nuclear-related exports as a basis for taking aggressive diplomatic action "to influence the way the world's nuclear economy is safeguarded." If the CED is right, their arguments are powerful reinforcements for Beckmann's position. On the other hand, it must be acknowledged that a respectable argument can probably be made for the contrary position.

If nuclear energy is so good, why are so many people suspicious of it? Beckmann relies on the currently vogueish "theory of the endangered class." This is the class of well-to-do and avant-garde people who read radical chic journals and hate capitalist, democratic America, the very America that has endowed them with privileges all but unknown in the previous history of the world. For this class, Beckmann argues, nuclear power is a symbol of all that is supposed to be wicked about America.

Obviously the endangered class theory has considerable merit in this connection. But it fails to acknowledge the more important fact that the AEC and the civilian nuclear power industry behaved very badly over the last two decades. They ignored the clear signs of waning public confidence. Not the Ford Foundation but the AEC should have commissioned the Willrich and Taylor study, for instance. Instead of welcoming public scrutiny, the industry and its regulators have avoided it. Spokesmen for the endangered class

have been able to persuade themselves and many who are outside this class about the evils of nuclear power mainly because the spokesmen for the opposition have been so untrustworthy.

Even if Beckmann were correct on every point, his own book would be mistrusted. Ralph Nader may be wrong or even wrong-headed, but he is not "vile." Lorna Salzman, of Friends of the Earth, may unwittingly not be a friend of the earth that will be stripped for coal-mining if nuclear power is forestalled, but surely she is not engaged in "brainwashing" or "totalitarian propaganda." (And incidentally, she should not be referred to deprecatingly as "Lorna," which Beckmann occasionally does.) Paul Ehrlich may be unwise and, by some standards, possibly immoral in being willing to consider coercive means for population control, but are these grounds for Beckmann likening him to "an SS-Obersturmfuehrer"? Beckmann is clearly a valuable national resource, and he badly needs a collaborator who will keep him from squandering his easily depleted credibility. □

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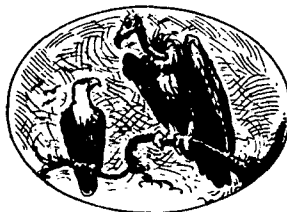
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THE NATION'S PULSE

by
Peter J. Rusthoven



Moral Desert: The Capital Punishment Debate

For the past few months, the nation has been forced to endure the extraordinary spectacle revolving around the life and impending death of one Gary Mark Gilmore. Mr. Gilmore is a self-admitted murderer of two human beings. He has been convicted and sentenced to death for one of those killings, and has repeatedly requested that his sentence be carried out forthwith. As of this writing, however, the State of Utah has refused to accede to that request, even though it is under Utah's laws and processes that Gilmore stands condemned. Rather, a host of presumably well-meaning busybodies, led by the American Civil Liberties Union, have thus far fought a successful battle to prevent Mr. Gilmore from keeping his date with the firing squad. Gilmore's case has been up to the Supreme Court of the United States and back again; Gilmore himself, between suicide attempts, has found himself on the covers of national magazines.

Mr. Gilmore has become a cause célèbre for two basic reasons: One, because he professes to desire swift execution; Two, because the granting of that wish will make him the first individual executed within these borders in almost a decade. Whether Gilmore is sincere in his stated desire is well-nigh impossible to determine; whether he will succeed in being the first man put to death since 1967 is likewise unclear. Whatever his motives or ultimate fate, however, it is clear beyond cavil that Gilmore's developing saga has revived yet again the nation's debate over capital punishment. Unfortunately, though, what was noted in this space some three years ago ("Capital Punishment: The Ethics of Execution," February 1974) continues to be true: That debate almost invariably avoids the critical issue of moral deserts, opting instead for either convoluted legalisms, emotional distortion, or irresolvable and ultimately irrelevant arguments about deterrence.

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The legal status of the death penalty is at present hopelessly muddled. That capital punishment is indeed legal under some circumstances is clear enough, but it is hard to fathom precisely what those legitimizing circumstances are. In 1973, opponents of execution won an apparent if far from decisive victory in *Furman v. Georgia*, in which five members of the Supreme Court decided that capital punishment as then administered constituted "cruel and unusual punishment" in violation of the Eighth Amendment to the Constitution. However, the *Furman* Court did little to articulate the basis of its holding—quite the contrary, each of the nine Justices felt compelled to deliver a separate opinion. Predictable uncertainty ensued about what the decision meant. Some were encouraged to view it as the first step toward an eventual outright ban on executions; others, noting that four Justices would have upheld the capital punishment laws at issue and that three of the other five had emphasized the supposedly arbitrary manner in which executions were being meted out, believed that laws imposing mandatory death sentences would pass Constitutional muster.

Last Term, however, the Court further confounded the issue in a series of cases passing on death penalties enacted by various states in the wake of *Furman*. The argument that execution is *per se* cruel and unusual was finally put to rest—only Justices Brennan and Marshall continued to press that strained and unpersuasive "interpretation" of the Constitution—but little else was settled. Justices Stewart, Powell, and Stevens concluded, despite the seemingly contrary implications of *Furman*, that the death penalty was in fact Constitutional only if there *were* some room for discretion by judge or jury as to which individuals convicted of capital offenses merited the ultimate punishment. Thus, joined by Brennan and Marshall, they overturned laws mandating execution for all convicted. The remaining members of the Court—Chief Justice Burger and

Justices White, Blackmun, and Rehnquist—in essence were willing to uphold capital punishment in principle and leave the question of implementation to the individual states. Accordingly, seven Justices voted to sustain those laws which provided for some discrimination in determining which convicts would actually die. The bottom line of all this appears to be that under the most recent decisions, some discretion is required; under *Furman*, too much discretion is forbidden; and that overall, the Court is involved in a protracted muddle which it could have avoided by simply holding—as four of its members accurately contended—that the Constitution rather clearly contemplates the validity of the death sentence, and leaves the basic choices to the several states.*

In contrast to the Court's sincere if misguided grappling with largely self-created legal complexities, confirmed critics of the death penalty have focused on emotional and often inflammatory attack. Harvard law professor Alan Dershowitz, in most matters reasonable and thoughtful, provides a recent example of this sort of argument. In an article in the January 1977 *Penthouse* (the thesis of which is that porn star Harry Reems is being unduly persecuted for his artistic endeavors), Dershowitz tosses off a gratuitous remark that the same people who oppose abortion tend to favor the death penalty. The unstated implication of this increasingly common remark is, of course, that those who support execution (or for that matter, oppose abortion) are consistent only in that they favor reactionary positions—as if there were no relevant distinctions to be drawn between deciding whether an innocent fetus should die and answering

* The Fifth Amendment assumes in three places that individuals may be deprived of life; the "due process" clause of the Fourteenth Amendment carries with it the same assumption. Moreover, statutes imposing death as the penalty have been enacted since the first Congress.

the same question about a convicted murderer.

Another example of the prevailing rhetoric is a recent newspaper article by one Bob Greene, a Chicago reporter writing about the reactions of a group of sixth graders to the idea of capital punishment. Greene expresses surprise that the overwhelming majority of the students had indicated support for the death penalty, since, in his words, he "had assumed" that the youngsters "had not yet been hardened to the ways of the world." Their teacher as well, he reports, "was surprised by the bloodthirsty nature of their responses." In fact, the responses are little more than simplified statements of the deterrence theory, coupled at times with comments about the seeming justice of imposing death on those who kill, both expressed in the prose of eleven-year-olds. Hardly what most of us would call "bloodthirsty"—but the adjective is fairly typical of much media coverage of this issue, which tends to be couched in language of "barbarism."

The Gilmore case has also added its own twist to emotional attack on the death penalty. Thus, Aryeh Neier of the ACLU argued recently in the *New York Times* that Gilmore's desire for execution was a product of his being forced to choose between prolonged and nerve-racking delay and the relief of having it done with. Hence, Neier argues that Gilmore's experience is but a dramatic example of the "savagery" of capital punishment. As *National Review* aptly responds, "since life is full of dilemmas, what we feel for the

murderer who has to decide whether he wants to keep sweatily postponing retribution is something other than pity." But despite the fact that surveys reveal an increasing percentage of the populace in favor of capital punishment, voices such as *National Review* are generally outnumbered in our public discourse on this question.

Finally, along with the legal battles, and the emotional assaults of the Left, the old deterrence debate continues. The opposing arguments on this score are all too familiar, and I will only repeat here the observation of James Q. Wilson which I reported in my earlier column: Deterrence studies are inevitably and inherently flawed to the point of virtual unreliability; no state is willing or would be permitted to undertake the kind of controlled experiment which would yield solid empirical data on the question, even if such an experiment could be designed; and therefore our decision on capital punishment cannot and should not be made on the classically utilitarian grounds of whether or not it will decrease the incidence of violent death.

The Gilmore incident thus finds the nation little advanced in its consideration of capital punishment, despite literally decades of heated discussion and argument. Opponents continue to attack the penalty in rhetoric (often overblown) of righteous indignation; proponents continue to respond with questionable arguments and statistics about deterrence, which their antagonists in turn seek to refute with equally unreliable data; and the

courts continue their futile search for an answer in a hodgepodge of legalisms. Through it all, the critical issue is seldom if ever aired.

To me, at least, this silence is surprising, for the key issue is one of stark simplicity. Whether we should or should not have the death penalty involves a straightforward moral determination—namely, whether there are crimes for which we, as a free society, are willing to say that an individual *deserves* to die. My personal response has not been overly difficult to reach: I believe that the basic moral precepts of our social order are valid as standards for human conduct, and we need have little difficulty, therefore, when careful, collective, and fair judicial process determines that certain acts so violate those moral precepts that the perpetrator deserves death. But even more important than the actual decision we reach is that we discuss the problem in terms which acknowledge its serious moral dimension, and in ways which reveal our own understanding of our obligations to take such questions seriously.

If the melodrama of Mr. Gilmore is any indication, however, discussion on this level is unlikely to take place any time soon. Perhaps that is why, in the phrase of *National Review*, he has been so successful in turning his fate into the stuff of theater. But until we face frankly the moral question raised by the issue of capital punishment, we shall in all likelihood be forced to view numerous farcical performances of the type now being staged in Utah. □

BOOK REVIEW

Kontinent

Edited by Vladimir Maximov / Doubleday-Anchor / \$3.95

Juliana Geran Pilon

One would hope that a publication like *Kontinent* would not have to be reviewed. Not just another commentary on the implications of sixty (ninety?) million dead in the USSR, of a culture smothered—this is not so much a book as an event.

Kontinent is the result of a powerful epistemology, as expressed in these lines from Alexander Galich's poem:

In this window the morning light breaks
every day,
Like a blind man, I know everything here by
touch....

To know by touch is to merge, to be within,
to be renewed; seeing is to be deceived.

Juliana Geran Pilon came to this country from Romania in 1962. She teaches philosophy at California State College, Sonoma.

Thus *Kontinent*, conceived by men with eyes of stone, having beheld the Gorgon of totalitarianism. To understand them, eyes are not merely insufficient, they are a handicap.

Yet the magazine is largely a manual for the handicapped. Though edited by a Russian, Vladimir Maximov, *Kontinent's* aim is to reach mankind in as many languages as possible. Its Editorial Board includes writers who specialize in the Western id (having fashioned it in part), notably Saul Bellow and Eugene Ionesco. Its essays—describing, for instance, the social and political ramifications of abstract art in the USSR, the state of creativity in Czechoslovakia (before and after '68) and the cultural implications of the Russian takeover, a penetrating short history of literature under Stalin (by Andrei Sinyavsky) which also deals with some of the symbolism

involved—are informative, fascinating, sober. Not as self-conscious and pontifical as the collection *From Under the Rubble* (1974), though equally anguished, *Kontinent* is a textbook on cultural survival, on the sacrifice that is genuine art behind the Iron Curtain.

Perhaps the main feature of the journal is the Solzhenitsyn-Sakharov exchange. To Sakharov's criticisms, which in the main echo Western "liberal" charges (e.g., Solzhenitsyn's "fanatical" religiosity, his nationalism and reactionary "anti-progressivism," his single-minded opposition to democracy), Solzhenitsyn answers curtly: "Anyone who takes the trouble to reread my *Letter [to the Soviet Leaders]* will be convinced that it contains nothing of the sort." On several occasions Solzhenitsyn warns against glibness; and, to be sure, we cannot afford to skim through the

testimony of those who bear the tidings of a secular Hell that gets hotter and closer by the minute.

Indeed, the aims and principles of this publication—another of Solzhenitsyn's brainchildren—should put a libertarian's conscience at ease:

1. ABSOLUTE RELIGIOUS IDEALISM, that is, with a given dominant Christian tendency, a constant spiritual union with representatives of other faiths.
2. ABSOLUTE ANTITOTALITARIANISM, that is, a struggle against any variety of totalitarianism—Marxist, nationalist, or religious.
3. ABSOLUTE DEMOCRATISM, that is, consistent support of all democratic institutions and tendencies in contemporary society.
4. ABSOLUTE NONPARTISANSHIP, that is, a categorical refusal to express the interests of any existing political group.

And then, there is the cameo portrait of Milovan Djilas, ex-member of the Central Committee of the Politburo of the Communist Party of Yugoslavia, former close collaborator of Tito, who lives a stranger in his own country; imprisoned once for having criticized the party's position

toward the Hungarian uprising in 1956, then again for his book *Conversations with Stalin*, forbidden to publish his novels and stories, now among the witnesses of the Red Terror. When asked if he agrees with Solzhenitsyn, the agnostic Djilas picks up a copy of *Gulag* to show the passages underlined in pencil: "The most significant book of our times." A common bond? The litany of experience.

The journal's varied styles—nonfiction (including an essay on metaphysical beliefs in the Soviet Union); a short story (illustrating, without pathos, the salvation that a modicum of love can bring amidst the aimless poverty of socialist antiutopia); a few poems—all convey the same message: creation will go on at gun-point. But this doesn't spell hope. Most of the important talents will drown, while at the same time the simple folk's impulse for creation and beauty will continue to be stifled. Of course, with the soul and its yearnings, dignity disappears as well. To the Western liberal who would trade freedom for (he fancies) bread, who believes that the common man would sacrifice art to the

redistribution of potatoes, Ludek Pachma has this to say:

...we found in 1968 [in Czechoslovakia] that was the workers in particular who immediately called for freedom of the press and freedom of opinion, and were willing to wait awhile for a raise in pay (which was, to be sure, dismally low).

Kontinent is not, then, merely a publication for the literary elite, in spite of its having gathered the most sophisticated writers capable of transmitting the message of freedom. Neither is it meant for émigrés alone but for the entire continent of man, for East and West alike, for those who will pay heed. It is tempting to say that we look forward to future issues of the journal as they appear in Western languages. Yet isn't this a strange wish? Shouldn't we hope that the need for such publications will disappear? Shouldn't we hope for Russian, Polish, Romanian creations to appear in their native tongues, for native readers? Alas, those who can still harbor such hopes haven't been reading very carefully lately. [

BOOK REVIEW

The Uncollected Wodehouse

Edited and with an Introduction by David A. Jasen / The Seabury Press / \$8.95

Foreword by Malcolm Muggeridge

Martin L. Duggan

The title of this book is apt to drive Eggs, Beans, Crumpets, and all Drones completely bonkers, for it is a collection of stuff from the earliest writings of Wodehouse in newspapers and magazines—bits not previously put between the covers of a book.

When that which has been uncollected is collected, doesn't that rather alter the nature of things? Conceding that a title such as *A Wodehouse Exchequer* would be too trite and too pretentious to suit the source, *The Uncollected Wodehouse* is unsatisfactory as a handle for this laugh-yourself-sick pack. "Uncollected" suggests something that was left for the rubbish man who passed it by. A proper title for this 212-page book of revelations could be: *The Worst of Wodehouse?* A subtitle then might be: *But Not All That Bad; Beats Anything Else You've Read.*

Anyone who would regard even the least of Wodehouse as an unpalatable leftover would criticize the second wine course at Cana.

Consider what a jewel Mr. Jasen has presented us with: An opportunity to read Plum, as Wodehouse was called by his friends and admirers, in his formative years. Delving into this uncollection is a

Martin L. Duggan is editorial page editor of the St. Louis Globe-Democrat.

literary experience that can't be duplicated. It's as though a painter were privileged to look over Leonardo's shoulder when he started scratching in his first sketchbook. Or like an aspiring travel agent being able to sign on as a cabin boy to Christopher Columbus.

Make no mistake. Those of us who read Wodehouse out loud agree with Hilaire Belloc that Plum was the most accomplished writer of the age, assuming you laugh in the English language. In his introduction Malcolm Muggeridge reminds us that someone as thick as Hugh Walpole couldn't comprehend what Belloc was talking about. No matter. Walpole is a tadpole while Wodehouse is a whale of a writer.

What was Wodehouse like before the birth of Bertie Wooster and Jeeves and Bingo Little and Mr. Mulliner and Psmith and Freddie Fitch-Fitch and Stanley Featherstone Utridge and all the others he created to enrich our lives? Let us not deprive Mr. Jasen of that part of the \$8.95 which is his due. The secret is contained in his volume which Price and Pride would consider a bargain.

The book is divided neatly into two parts. The first section contains early contributions from publications, some of which have since gone broke. These are from the years 1900-1909 and from 1914-

1919. The second half contains short stories published as early as 1901. Appreciate, if you will, that here is the opportunity to be present at the birth of Reggie Pepper, who was to evolve into Bertie Wooster. And you may join those being put in their place by Keggs, who preceded Jeeves as the perfect butler.

One can imagine that Wodehouse early in life saw the great good humor of being named Pelham Grenville Wodehouse (pronounced Woodhouse). Before he completed his studies at Dulwich College Wodehouse must have realized that any one bearing his monicker and boasting that alma mater could get a lot of mileage out of just being himself and writing about those around him. Thus his portrayals of English upper crust truly were a toast to his countrymen, not a merciless roast. Wodehouse is the only person capable of making such snobs and simpletons lovable rather than insufferable.

Only one American writer approached Wodehouse in doing for his countrymen what the English master accomplished. The American is Damon Runyon.

Runyon's *Guys and Dolls* were to Broadway what Wodehouse's *Dukes and Dowagers* and *Blokes and Beauties* were to Blandings Castle. Runyon, like Wodehouse, should be read aloud from time to time, for good writing is like fine wine.

must be swirled around the tongue to be fully savored. Having both ears helps too.

Odd, you say, that Wodehouse and Runyon should be paired as an entry in one's esteem? Not at all. Wodehouse was as much at home on Broadway as Lord Emsworth was at Blandings. Wodehouse was equally as familiar as Runyon with the world of Harry the Horse and Sky Master-son and Big Julie and Nathan Detroit and Miss Adelaide. Wodehouse wrote 18 plays. He created or collaborated on 32 musical comedies. Who, hearing "Bill" from *Show Boat*, would suspect that P.G. Wodehouse was the lyricist? That he was.

Wodehouse and the American public

formed a mutual admiration society from the time he wrote his first piece for the old *Saturday Evening Post*. Late in life he became a United States citizen by studied choice. The English, more than a trifle stuffy over his misadventures in World War II, when he was foolishly mistaken to be a Nazi sympathizer, got around to making amends just six weeks before his death when Queen Elizabeth II named him a Knight Commander of the British Empire. Wodehouse wryly observed he had nothing else to live for, since he already was in Madame Tussaud's Wax Museum.

Wodehouse wrote lovingly every day of

his life until the day of his death, completing his 96th book before bowing out graciously on St. Valentine's Day in 1975 at the age of 93.

One always owes a debt to the individual who introduces him to an indispensable part of life thereafter. This reviewer expresses joyful appreciation to the girl he married. She was the one who tipped him to Plum. Wife With Wodehouse has been a familiar sight in our bed for nigh unto 35 years—a cause for envy at times, but never jealousy. Sharing your wife or life with Wodehouse is a good way to laugh happily ever after. □

Feather River John

Hobo Bill's Last Ride

Notes on the plight of Hood River Blackie, the Waffles Kid, and Steam Train Maury—a vanishing species.

Perspicacious readers of this journal may have noticed, in the December edition, sandwiched between a report of an attempt to mate a man with an ape, and another of the assassination of a Budweiser Clydesdale, a small item by this publication's Fauna Editor describing my efforts to inspire compassion for the American hobo as an endangered species. Popular demand has apparently pressed our redoubtable editor into inviting your humble servant to describe in somewhat more detail the plight of the vanishing hobo, and I am pleased to do so.

As with the sinking of the *Lusitania* and the identity of thousands of voters in Chicago, no one seems to know the exact story of where the name "hobo" came from. One theory has it that it is a contraction of an ancient greeting "halloo, beau," a salutation allegedly once common among everyone from highwaymen to Siamese twins. Another tale claims it is a version of the "ho boy" shouted by railroad mailhandlers in the 1880s just prior to releasing a bag of mail in the general direction of some unsuspecting station hand. In any case, a hobo has been defined as one who dreams and wanders. By contrast, a bum is one who begs and/or steals and wanders, usually one step ahead

of the law. A tramp is one who walks from town to town, dreaming, begging, or stealing, depending on his degree of adherence to noble ideals.

At the high water marks, early in this century and again during the Great Depression, there were more than a million men, and some women, trying to ride free on the trains of the land in search of one thing or another. Aside from the many migratory workers using the rails only for free transportation, there was always a hard core of old-time hoboes for whom hoboing was not so much a harsh necessity as a special way of life. As a rule, these professionals were resourceful, resilient, merry, generous, industrious (as required), responsible, and on the average as sober as the ordinary reader of this pub-

lication. They did not engage in vandalism or burglary, nor did they appear drunk and disorderly in public places.

While it must be admitted that even the highest sort of hobo occasionally engaged in frisking for unwary gumps, and often anticipated the formal corn-picking of trackside farmers, he did so usually to sustain life at a very modest level of subsistence which may, I hope, be considered a mitigating factor. As a virtue to offset this minor vice, the old-time hobo rarely if ever descended to accepting the charity coerced from the taxpayer. He preferred, if accepting charity at all, to reciprocate by inducing a refulgent glow in the breasts of various pious housewives and Salvation Army missionaries in return for a bowl of stew and a place out of the rain. When the wanderer was subjected to an interminable evening of tumultuous Christianity as the further price for this meagre fare, it can be argued that he came out somewhere on the short end of the deal.

Since the beginning of the Global Unpleasantness in 1941 the hobo has become an increasingly rare creature. No longer do unemployed and dispossessed youths of our land head for the division points to swing onto a slow drag or manifest. Nowadays, more likely, they engage in the extralegal pharmaceutical business, practice arson, become middlemen in the discount auto equipment industry, or provide the essential final link in any of a number of misguided Federal income redistribution schemes. →



Feather River John was in earlier times a well-known figure from the Oregon Trunk to the Clinchfield. He now issues instructions to world leaders from his home in Concord, Vermont, all of which have to date been ignored.

There remains, however, a diminishing number of the hoary knights of yesteryear, living out their golden years in lonely shacks, under viaducts, and in repulsive rest homes, mostly in the West. If accompanied by a knowledgeable guide one could, in the span of a few days, make contact with such legendary figures as Chicken Red, who at 17 embarked on an unparalleled career of low-budget travel in 1898; the Waffles Kid, who in a trackside shack in Whitefish, Montana dreams of once again riding the blinds on Jim Hill's *Empire Builder*; and Cotton Henry, whose long life as a carefree vagabond was interrupted by the necessity for helping to exterminate some ten thousand Japanese in the bloody crags and caves of Peleliu.

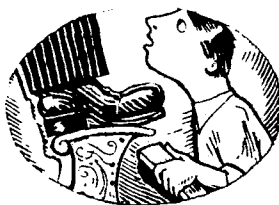
Hood River Blackie, at 51 the youngest survivor of the olden times, has faithfully recorded the life stories of some 600 of his travelling friends, most of whom have now boarded that spectral Cannonball for their final ride to glory. Because of Blackie's

determination to help the feeble survivors of the grand old days of the open road, he, Steam Train Maury out of Toledo, and yours truly established the Hobo Foundation early in 1974. We aimed to perpetuate what can yet be found of the lore of these freedom-loving men, and to try to raise a modest sum for an even more modest retirement camp, where the dwindling host can spend their final days jungled up with congenial souls, laughing once again at How Watermelon Red Went Wild at Reno, thrilling to the tale of Springfield Mike who saved the *New Haven Express* at Dutchman's Curve in '08, and reminiscing about Omaha Bill, who emerged hung over from a boxcar one fine morning in 1867 to learn that he was the first 'bo to roll West over the Golden Spike.

For two years we battled manfully with the Internal Revenue Service over the difficult question of whether creating a retirement camp for a handful of toothless, homeless, poverty-stricken old men was in

fact a charitable endeavor. Our expenses during this period were largely covered by the tidal wave of donations, totalling \$32.50, that followed a sympathetic piece by "Wall Street Al" Otten of the *Wall Street Journal* in December, 1974. With the IRS agreeing at last that the Foundation was entitled to tax-exempt status, we are now starting a campaign to raise funds and assistance in building a modest B&B Rock Candy Mountain in an otherwise unused portion of Southwestern desert near to where the *Gila Monster* highball hum stock-laden to the East. We do not accept money from governmental sources but we do encourage readers wishing to contribute to this project to contact the writer at the Hobo Foundation, Concord Vermont 05824. For those who help, there will be a warm bowl of mulligan in the Great Jungle in the Sky, at least in Cigarette Kid, the Grey Ghost, A No. 1 and the Mushfucker have anything to say about it. □

THE BOOTBLACK STAND



Dr. George Washington Plunkitt, our prize-winning political analyst, has accepted a staff position with the House Ethics committee, but he has graciously consented to continue advising American statesmen in these times of troubles. Address all correspondence to The Bootblack Stand, c/o The Alternative.

Dear Dr. Plunkitt:

I have information that a Paris newspaper is about to publish an exposé that could destroy my political career here in France. This paper will soon reveal a list of French politicians who have taken bribes from Lockheed, and, as luck would have it, my name is not on this list. How will I ever be able to look one of my constituents in the eye again? But of course, I have no scruples against taking bribes. Unfortunately this Lockheed briber had such atrocious table manners that I thought he was a KGB agent. What a slob!

Is my career ruined beyond repair?

Cordially,
Name Withheld
Paris, France

Dear M. Name Withheld:

Not if you follow my unwavering maxim and always tell the voters the truth—or as much of it as is necessary. Reassure them of your moral character by reiterating your openness to bribery and by relating the vulgarity of Lockheed's briber. Stress your devotion to providing for the needs of your family and friends. Promise never to make

such a mistake again. Remember in politics the truth can sometimes be more profitable than the untruth. —GWP

Dear Dr. Plunkitt:

As Concerned Asian Scholars we are distraught over reports of the incipient repression of civil liberties in the People's Republic of China and of an apparent movement away from the remarkable revolutionary principles of Chairman Mao. Under his benevolent leadership China reprocessed many prostitutes and shone forth as the model of compassion and progress to all humanity. Flies were almost unheard of. In fact under Chairman Mao China became a country of lush grass, and everyone either had a pleasant smile on his face or he was shot, even though this was done at considerable expense. China, after years of Western exploitation, is not a wealthy country; a bullet costs the Chinese government far more than Westerners would think. Nonetheless Chairman Mao knew that a country that smiles together is a country free of capitalist roaders, and so there were always

lots of smiles and no flies.

Now what had once been an inspiring future is becoming a chilling presence. The arrest and calumny of the Gang of Four is cause for alarm. It is only a matter of time before China slips into the condition of Spain or possibly even Chile. As compassionate Asian scholars we are accepting our responsibility to humanity by establishing the "Ad Hoc Gang of Four Defense Fund." Could you reach deep into your pocket and bring forth a donation? You will be remembered.

Urgently
John Stewart Service, CAS
O. Edmund Clubb, CAS
John Kenneth Galbraith, CAS
—*Concerned Asian Scholar

Dear Concerned Asians Scholars:

I shall gladly do better than that. I am sending you, forthwith, the mailing addresses of all those—living, deceased, or jailed—who have ever attended a Lenny Bernstein cocktail party. Your affecting appeal should not fail to move them.

—GWP

THE GREAT AMERICAN SALOON SERIES

by
Robert Koenig



Suds under the Stars: The South St. Louis Beer Gardens

If you listen to the old-timers, not much is as good as it used to be. But get a few of the old South St. Louis Germans on the sentimental topic of beer gardens, and the laments last for hours. "Beer gardens?" they'll ask with a wistful shake of the head. "Why, there was a time when there were so many beer gardens in St. Louis that we'd stumble out of one and just follow the sounds of oompah bands to the next."

And the older the beer gardeners, the more of those cavorting spots there used to be. But their laments tend to fall mostly on deaf ears nowadays, when disco-crazy youngsters seem to think beer gardens are plots where brewers grow beer plants.

Even in South St. Louis, where the malty odor from Anheuser-Busch, one of the largest breweries in the world, permeates the air, the Silver Age of beer gardens has tarnished. The sudsy groves took a hard right from Prohibition and a left hook from anti-German sentiment during the two World Wars, and then—before they could get off the canvas—were smacked square in the jaw by the advent of air-conditioning.

The spirit of the old hop groves declined to a point about 15 years ago when nearly all of the gardens had disappeared, transformed into parking lots or some other profitable function. But a few remain, and some old-timers envision a resurgence around the corner.

Take the case of the Bavarian Inn beer garden, located down by the Gravois Street where it runs together mit Arsenal. Herman Eisele, the owner, hails from a little town on the Neckar River, not far outside of old Heidelberg. Eisele worked for a brewery after coming to St. Louis, then operated a small tavern before buying the Inn in 1963. He converted the backyard of the restaurant into a beer garden a year later and has drawn hundreds of customers on every summer night since then.

"Beer gardens are more popular in

Germany, mostly because the people there don't mind sitting outside—no matter what the weather is," Eisele concedes. "If it rains, it rains. If it snows, it snows—the Germans still stay and drink their beer. Here, most of the customers just go inside."

Eisele's customers may be timid in the rain, but they are a wild bunch of revelers when it's hot. Once the old-time bands begin to oompah their way through polkas and the like, excited grandmas start dancing their improvised versions of established steps, tables full of middle-aged couples sway their beer steins, and out-of-tune drinkers start singing the old songs.

The "Beer Barrel Polka" is the most popular tune, but the Polka Toppers players have enough other old standards up their sleeves to keep the weekend singers hoarse. "In some ways, the music here is more German than it is in Germany," said Mrs. Anne Noenning, a regular customer. "They don't play much besides modern music there nowadays."

"People love to dance and sing outdoors—that's the secret of beer gardens," another customer explains. "There's no air-conditioning, that's true. But there is the natural air-conditioning of cool breezes. You don't see any cigarette smoke out here."

The Bavarian Inn may be the largest beer garden in South St. Louis—it can handle 350 persons easily—but the oldest is probably Delisa's Bungalow Beer Garden, an unlikely name for a backyard spot that has kept some of the same customers for 40 years. Delisa's improbable appellation comes from the names of its present owners—Dean (Dino) and Liselotta (Lisa) Gable. Before that, it was "Joe and Jim's" and, even earlier, "JimoLou's."

The place was once a ramshackle house that used to be feared as haunted by neighborhood children. An old German by the name of Pete Bly opened it as a tavern after the spectre of Prohibition disap-

peared in 1933. Bly, whose English vocabulary didn't go much beyond "Hi" and "Sure," slapped together a few boards for tables and rounded up a group of chairs about two years later—and the beer garden began.

"It was nothing but dirt roads around here, back then," reminisces 95-year-old William Altnether, a steady customer. "That beer garden was nothing but some tables in a pile of weeds, and this place looked like an old barn."

The old fellow ought to know. He tapped the first keg of beer in the saloon, polkaed with the best of the beer gardeners, and started the horseshoe tournaments that were popular out in the garden in the '30s and '40s. In fact, the tournaments grew so popular that players warred nearly every day with the iron shoes, and the metallic sound of horseshoe-on-ring echoed through those streets far into the night.

The one remaining horseshoe court in the beer garden is now overgrown with weeds, for the sports that draw the modern crowds are amateur softball and volleyball. "The ballplayers aren't bothered by the bad weather," Gable quips. "If they won, they come to the beer garden to celebrate. If they lost, they come to drown their sorrows."

Delisa's Bungalow Beer Garden is in a modest little corner of land, set apart from sidewalks only by a picket fence. It has enough chairs and benches to seat 60 persons, enough concrete-block barbecue pits to serve a good-sized picnic, and an old juke box taking the place of the traditional oompah band. "The neighbors complain every time a door slams around here—that's why we don't have a band," Gable grumbles. "In the old days, people must not have had good hearing."

The demise of beer gardenry is a favorite topic of many of the old-timers at the lounge—but even those faithful customers have little conception of how rich the history of St. Louis beer gardens is.

They began here more than a century ago and reached a peak in the 1880s and

Robert Koenig is a staff writer for the St. Louis Globe-Democrat.

Gay '90s. At that time, most of the large beer gardens in the city had achieved a national reputation. Stars such as Carlotta Maconda, Grace von Studdiford, and the unforgettable Lillian Grub thrilled the hearts of revelers at the renowned Uhrig's Cave, a brewery adjunct that seated 3,500 persons in a man-made cave lined with potted palms and candles.

Thousands of malt lovers packed Lemp's Park—near the present site of the Falstaff brewery—during summer months for a huge beer garden atmosphere. The three-day Bavarian fests at the park offered thousands of pig knuckles, liver sausages, and the best of wursts.

Renowned operas such as *I Pagliacci*

received their American debuts in Schnaider's beer garden, while people from all over America visited the Cherokee Garden for its famous *schmierkaese*—cottage cheese.

But Prohibition closed most of the beer gardens for a decade, so that a St. Louis newspaperman in the wet year of 1933 could reminisce: "It is now a popular diversion for the older generation to sit in their homes or local cafés quaffing cool steins of a newfound freedom, and to recall another time when St. Louis abounded in attractive spots where beer could be sipped to musical entertainment from grand operas to vaudeville."

Attempts to revive the grand old tradi-

tions had some success in the 1930s, but the golden age was over, and the oompah bands were forced to tone down when the Nazis came to power in Germany. In fact, some of the beer gardens became local meeting places for the pro-German Bund movement, and were subsequently raided by local authorities.

Perhaps the great beer gardens are things of the past, victims of modernity's onslaught. But those who drink beer, think beer—as one sage once murmured—and modern drinkers at least can still ponder the wonders of their favorite brews under the stars in South St. Louis. □

BOOK REVIEW

The Foundations of Modern Austrian Economics

Edited by Edwin G. Dolan / Sheed, Andrews & McMeel / \$12.00

Howard Dickman

The Austrian School, the most distinguished and least known group of free market economists in the last hundred years, may be staging a comeback. So-called because its founder, Carl Menger, and the first few generations of his students were Viennese, the school has long been international; now it is getting international recognition. Though Ludwig von Mises died in 1973 without receiving the honors due him, his most illustrious student, Friedrich A. Hayek, was awarded a Nobel Prize in Economic Science a year later. In the 1930s, conventional economists chose the Keynesian rather than the Hayekian diagnosis of and prescription for the Depression. Recently, however, the distinguished and orthodox neo-classicist Sir John Hicks intimated that Hayek's business cycle theory may contain important truths for the current pickle the Western market economies are in.

But the vitality of an academic school cannot be judged by the dazzling brilliance of older (or deceased) theoreticians. It is seen in the productivity of active members, by their ability to gain an audience in, and the allegiance of, the rising generation of scholars. *The Foundations of Modern Austrian Economics* contains papers by working Austrian scholars, and is an indication of such vitality, as is a series of companion volumes sponsored by the Institute for Humane Studies in Menlo Park, California—the "Studies in Economic Theory." Messrs. Samuelson, Friedman, et al. may have quite a tussle on their hands in the battle to win academic friends and influence public policy.

Edited by Edwin G. Dolan (economics

Howard Dickman is a graduate student in history at the University of Michigan.

professor at Dartmouth and author of TANSTAAFL, a popular, free-market-oriented book on the economics of environmental issues), *The Foundations of Modern Austrian Economics* is based largely on the proceedings of a Conference on Austrian Economics held in 1974 at Royalton College, Vermont. The conferees surveyed the basic tenets of their theory, exposed the fallacies of competing views, and indicated future research problems. The conference attracted some fifty participants who heard Professors Murray Rothbard (Polytechnic Institute of New York), Israel Kirzner and Ludwig Lachmann (both of New York University), and others deliver a baker's dozen papers on issues such as the proper methodology of economic science; the meaning of value-free social research; the misconceptions of aggregative constructs and mathematical economics as tools of economic theory; the meaning of capital and money; and the challenges Austrian theory poses to current macroeconomic policy. To these papers Dolan adds an essay of his own, "Austrian Economics as Extraordinary Science," an intellectual Baedeker for the entire conference proceedings and a survey of our current economic policy landscape.

The Foundations of Modern Austrian Economics is not a systematic, textbook exposition of Austrian (or free-market) theory; for that one must turn to the *magna opera*, von Mises' *Human Action* or Rothbard's *Man, Economy, and State*. But this book is a very good introduction. Moreover, the essayists carve up many sacred cows which have too long been allowed to wander unmolested along the avenues of public discourse. Economics, emphasize the contributors, is a deductive

science that studies the logical implications of purposeful, value-directed human action. This is where economic reasoning properly begins, and not with the fashionable view that economics is the study of how "society" allocates "its" resources. Rothbard and Kirzner demonstrate why the failure to follow "methodological individualism" consistently results in an illegitimate use of holistic constructs and mathematically functional relationships as tools of economic theory and explanation. Aggregates and econometric tools have a place in historical research and business forecasting, adds Dolan, but only causal, individual-based theory can explain economic behavior. Lachmann and Kirzner continue in this vein, opposing the individualistic theory of "market process" (decentralized decision-making and voluntary exchange in the real world of imperfect knowledge and ever-changing tastes) to the collectivistic "equilibrium analysis" and one of its more preposterous children, "perfect competition." They find the latter two "ideal constructs" distinctly less than ideal. Kirzner shows in particular how only the "market process" approach makes entrepreneurship and advertising intelligible and necessary for the operation of the free market.

Other essays attack headlong the venerable God of the Marketplace, Gross National Product. Kirzner and Lachmann argue in an ingenious if somewhat abstruse pair of essays that the "nation's" capital stock cannot ever be consistently measured (except when the economy is in the unreachable state of final equilibrium). If so, then the crucial investment component (capital goods like machines, buildings, inventory, etc.) of national income accounts and macro-

economic policy is an illusory figure.

The best essay in the book, and the one readers will find most immediately relevant, is Gerald P. O'Driscoll and Sudha Shenoy's "Inflation, Recession, and Stagflation." It is an intriguing application of Austrian business-cycle theory to our current economic woes, and an incisive criticism of the Keynesian (more government spending) and Friedmanite (constant growth of the money supply) nostrums. Here is a clear, understandable intro-

duction to the Austrian theory of depressions—which refutes the virtually universally held notion that depressions are an "inevitable" outcome of unhampered capitalism—and an application of its insights to the current economic impasse. According to the Keynesians, a general rise in prices should occur only when the aggregate demand for all goods and services continues to expand beyond full employment. Yet we have managed to combine unemployment, sluggish growth

with much unutilized capacity, *and* a continuing rise in prices. This experience has caused uneasiness, to say the least, among the smooth-tongued wizards of macroeconomic policy. Against this background, the modern Austrian understanding of the systematic, mal-allocative effects of government-engineered and manipulated monetary expansion offers an alternative vision of considerable persuasiveness and power. The same, I may say, is true for the book as a whole. □

BOOK REVIEW

The Victims

Frank G. Carrington / Arlington House / \$9.95

Wellington J. Griffith III

The Victims is not just another deadly boring recital of lifeless crime statistics. It is, instead, a gut-wrenching portrayal of flesh-and-blood human beings needlessly and cruelly victimized by a legal system that rewards criminals.

The author, Frank Carrington, is not only outraged about crime, he wants to provoke other law-abiding citizens into taking effective action to control crime before all of us are cringing behind bolted doors, too suspicious and afraid of others to help even victims of crime. For his part Carrington is executive director of Americans for Effective Law Enforcement, which works to correct the current tilt of the legal system toward protecting criminals. AELE wants to restore the rights of the victims of

crime who have been forgotten in the welter of banalities about the need to rehabilitate criminals as the victims of society. Carrington marshals facts indicating that only swift and certain punishment deters crime.

The prevailing attitude in criminology is succinctly summarized by Edwin A. Roberts, Jr. in a column in the September 27, 1975 edition of the *National Observer*. Roberts writes that, "For many years it has been the fashion to say, and perhaps to believe, that 'society' is to blame for the extraordinary increase in crime. The word 'society' is meant to refer to you and me. We are guilty. Everybody is guilty except the hoodlums who kill and maim and rob and rape and mug. At the same time, it is the hoodlums who have been given queer and unusual protection from society's wrath by the Supreme Court." (*The*

Victims reprints Roberts' hilarious take-off on the Lone Ranger as a masochistic white man who insists he is to blame for the depredations of outlaws.)

Americans for Effective Law Enforcement is a legal counterpoise to the American Civil Liberties Union which maneuvers, with depressing success, to expand the legal rights of criminals. ACLU's campaign to punish society for the sins of the criminal received codification by the Warren Court during the 1960s. Carrington relates case after tragic case of people victimized by crime, because Supreme Court rulings have made it more difficult to collect evidence against criminals and easier for permissive judges to suppress the truth and turn loose the obviously guilty. Various studies indicate that as punishment has declined, crime has increased simply because it has become

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more profitable. It is a measure of Chief Justice Earl Warren's success in stripping the law-abiding of the law's protection that his successor, Warren Burger, greets night-time visitors at his door with a six-shooter.

It is obvious from reading the criminal cases in *The Victims* that judicial obsession with rehabilitation contributes directly to an increase in crime. Too many judges simply deny the obvious truth that punishment reduces crime, a fact criminal behavior validates. As the certainty of adequate punishment increases, the crime

rate drops. Whether or not prisons rehabilitate, the comforting fact is that a hood cannot mug people while he is locked up.

Having denounced law and order the past 10 years as a euphemism for racism, liberal politicians are suddenly aware that crime in the streets most endangers their traditional constituencies: blacks and blue-collar ethnics. Carrington quotes Negro leaders who have been reading the opinion polls and feeling the pulse of their followers. Among others, the NAACP's departing leader Roy Wilkins says that,

"Negro communities need to speak out and act against Negro criminals."

There is every indication that the public realizes the failure of rehabilitation. There is growing awareness within the legal system that punishment might not cure the criminal but it does protect society and discourage crime, which is the first consideration. Whether a thug wants to rob a drugstore is unimportant as long as he doesn't. Behavior, says James Q. Wilson in *Thinking About Crime*, is easier to change than attitude. Author Frank Carrington would agree. □

BOOK REVIEW

Authority and Its Enemies

Thomas Molnar / Arlington House / \$7.95

David Levy

Six years ago I was introduced to the name and work of Thomas Molnar by a Finnish-American fellow student of mine at the London School of Economics. Since that time I have read many of his books and never without interest or profit. *Authority and Its Enemies* is no exception. Once more Professor Molnar displays the clear-headedness and prescience we have come to expect from him as an analyst of the cultural and political plight of the Western world today.

It is Molnar's view that we are suffering from a crisis of authority resulting from the typically modern distrust of limiting institutions and mores. Psychologists like Stanley Milgram and social philosophers like Theodore Adorno have taught us to believe that the exercise and acceptance of authority is an individual but socially induced sickness from which the enlightened social scientist, educator, or revolutionary is duty-bound to "liberate" us. By confusing pathological abuse of power with the salutary function of authority in society such men lead us to forget that, "Authority ... is ... the natural price that the individual pays for membership in society, without which he would not be an individual, let alone a protected and integrated one."

We can summarize Professor Molnar's position, though hardly do justice to the power of his argument and the wealth of his illustration, by saying that he holds that man is such that he only fulfills the demands of his nature through participation in social groups, that such groups have structural needs which must be satisfied if they are to accomplish their particular purposes (educational, economic, religious, etc.), and that authority, confidently exercised and readily accepted, is the necessary cement of all such vehicles of

our humanity. "Man as we know him, the man you and I are, is so free of instincts that with almost every step he threatens the very community without which he could not exist and survive as a human being. Thus authority—and this is its first function—mediates between man's two basic needs: to be free and to be integrated with the group, and it mediates rationally because it is rational for man to live in the community of other men."

In turn, Thomas Molnar examines the crisis of authority as it affects the family, school, church, courts of law, literature and art, the army and the state. The individual analyses are of differing lengths and, in the respectful view of this reviewer, depths of perception. In particular, While I think that the examination of state authority could scarcely be bettered, the discussion of the interplay of censorship and the creative artist seems to me to raise more problems than it answers. But then, Thomas Molnar is never less than provocative. Even when the reader is forced to register disagreement, Molnar always gives him a strongly argued case to answer without fear of stating unfashionable and unpopular views.

Unfashionable, unpopular but, I believe, profoundly true is Molnar's view that the crisis of authority in the liberal democratic states of the West can only be resolved outside the ideological, though not necessarily the institutional, framework of the present system. "The liberal-democratic system wanted to do good by all, its initiators and theoreticians did not imagine that their system, too, would produce marginal people, discontented strata, rational opponents. Entertaining utopian hopes about conquering mankind's future destiny once and for all, the system promoted its own desacralization...it dismantled its institutions in the name of the mature individual who could take care of

his own interests and knew what was best for him, it scorned patriotism, the nation's symbols, the need for authority. In brief, the liberal-democratic system allowed itself to turn into a nonsystem, a non-nation, a dis-society." In a book, *Le socialisme sans visage*, published earlier in 1976 in France and unfortunately not yet available in English, Molnar argued that the widespread demand for "socialism" through the world is best understood as a protest against this state of social disintegration. In his latest work too, he points out that the socialism of those who answer this demand is "not the hypothetical socialism which...wears a human face, but a faceless one which dissolves what remains of protective institutions, abolishes the political space in which the citizens used to move freely, and imposes a monolithic structure, a regimented existence."

Molnar's own preferred solution lies in the possibility of what he calls an "Augustan" as opposed to a despotic restoration of authority. If the state should be "a philosophy in action," then the state to which Thomas Molnar looks is one sure of its own legitimacy, as rooted in the necessities of human existence, and aware of its limitations both in what it can accomplish and what it is entitled to demand of its citizens. In Brian Crozier's terms, the restoration required is authoritarian without being totalitarian. Before the reader comfortably rejects a choice between such alternatives in the name of liberty and democracy, he should read *Authority and Its Enemies*. "If the Augustan restoration fails, then the alternative is less a continuation of the status quo—since we do not have a status quo, we have a rapid degeneration—than the spread and victory of despotic ideology and method." This is the powerful view to which I have not yet heard a convincing answer. □

David Levy teaches sociology at Middlesex Polytechnic, in England.

Quack Psychiatrists

Your article, "The Lavender Menace," (December) by Stephen Maloney was, so to speak, a mixed bag. In throwing out the meaningless, the ridiculous, and the absurd in the "Gay Liberation Movement," Mr. Maloney provides a service. However, in so doing, he also condemns a private love which he cannot understand and hence reviles.

I am a male homosexual and a reader of *The Alternative*. Perhaps this may shock Mr. Maloney, but I am an advocate of laissez-faire capitalism, am very conservative in my personal lifestyle, do *not* hate women, and am a great advocate of the family (for those who desire it). I tend to think along similar lines as Robert Nisbet (in his stimulating work, *The Twilight of Authority*) and find much of value in the family and church. The State (with its apparatus of coercion), Professor Nisbet observes, grows at the expense of the voluntary association of community and family. This view, of course, can also be found in the works of other libertarians such as Albert J. Nock and Franz Oppenheimer.

Mr. Maloney quotes in his tirade one quack psychiatrist and sociologist after another in a frenzied attempt to show that homosexuality is "sick" or "unnatural." Surely, a reader of *The Alternative* will put little weight on the verdicts of such frauds. I cannot imagine any rational person who values clear and precise thought putting stock in such ridiculous assertions. They are based on the same foundation as that underlying the absurd in "Gay Liberation," the inability to be silent about that which one is ignorant of, the desire to say something "profound," though it be meaningless. To assert that a certain kind of chosen behavior is "sick" is to engage in an incredibly sloppy use of metaphor. Application of medical terminology to mental traits is inexcusable license (though I would not deign to outlaw it). So, I might add, is the appellation "unnatural." Is it unnatural to fly planes, to read books, or to vote Republican? After all, one wasn't born with wings, a knowledge of English, or political allegiances. A quote from libertarian psychiatrist Thomas Szasz may illustrate the inapplicability of such metaphors: "Psychiatrists say that mental patients deny reality. I say that psychiatrists deny reality, by calling unruly persons 'mental patients' and their disturbing behavior 'mental illness.' For example: if a man goes to a bank and shoots the teller to steal money and so free himself from the oppression of poverty, that's called armed robbery; but if a man

goes home and shoots his wife to kill her and so free himself from the oppression of marriage, that's called 'temporary insanity.' "

In picking out such examples of "homosexual literature" as would offend anyone possessed of a modicum of common sense and clarity of thought, Mr. Maloney engages in collective character assassination. The fact that some people who are homosexual have succumbed to the prevailing intellectual atmosphere of idiocy should surprise no one. One needn't, however, look in homosexual magazines (as Mr. Maloney seems to have done—in a manner suggesting a Peeping Tom luridly peering into a public washroom) for examples of such garbage. Look in any magazine, for God's sake! He also picks up on the other sexual desires exhibited by some homosexuals, traits which I consider distasteful and unpleasant. However, any peruser of "Adult Bookstores" (which Mr. Maloney must be, to have found such material) would realize that such practices are not found solely among homosexuals. Mr. Maloney's preoccupation with such activities brings him to condemn them in a manner reminiscent of the Inquisition (though presumably his "closet libertarianism" would prevent him from being so harsh) while I am more tolerant, and I believe, mature. I avoid such practices and those who perform them. I do not read their literature so that I can cluck disapproval to others, thereby proving that I do not engage in such activities.

In short, I am insulted by Mr. Maloney's assignment of collective guilt for the idiocy of those with whom I am linked only by my sexuality. Perhaps Mr. Maloney's personal character is defined by his heterosexuality, but I am not so narrow a person. Homosexuality is only one facet of my unique and multi-faceted personality and, unlike Mr. Maloney, I do not feel it necessary to condemn the voluntary lifestyles of others.

For obvious reasons, I am withholding my name from this letter. This is not from cowardice, a trait which I have never exhibited, but from my desire not to be the personal target of Mr. Maloney's hatred and vitriol. I am much more interested in the battle against the Omnipotent State and in living my own life to want to contend with the petty vindictiveness of such people.

Name Withheld
Washington, D.C.

Masqueraded Bigotry

...Mr. Maloney ("The Lavender Menace," December) can eventually hit the reader with the statement: "I think it more

important that we revivify the family than that we expend our energy seeing that 'homosexual rights' are strictly observed... the Constitution, as Justice Goldberg said, is 'not a suicide pact.' " Mr. Maloney will have us recognize a clear causal relationship between homosexuality and the deterioration of the American family. The truth is they are both symptoms. The deterioration of the family unit, the rising divorce rate, the increase in homosexuality: these are all symptoms of a general decline of authority in Western civilization, lamentable results of the disrepute which has befallen authority in all its forms. Yes, homosexual relationships preclude a true family structure, and sure, the weakening of the modern family has probably given rise to an increase in homosexuality among the young. But, references to the Weimar Republic, the end of the family, the rise of dictatorships—all in an article on homosexuality—this is not fact, it is scare-tactic, pure and simple.

Masqueraded bigotry is a genre which has served too many causes too well. It exploits authority—what little there is left of it—without a scruple. Tradition is called in to make the barbaric sound civilized; Science turns opinion into irrefutable fact; Logic transforms common prejudice into the highest reason. The last thing our enfeebled instinct for authority needs now is people like this to come along and abuse it.

Elizabeth Kristol
New York, New York

Just Plain Lazy

Stephen R. Maloney's "The Lavender Menace" (December) is slipshod, irresponsible, and bigoted. It is a stunning example of a kind of self-indulgent pseudo-conservatism that has come increasingly to disfigure various parts of your magazine, notably the Editor's opening monologue, "The Continuing Crisis." this pseudo-conservatism allows that in the name of family and "the mystical complementarity of male and female" it is permissible freely to disgorge every irrational prejudice against homosexuals and feminists. (In the old days a lot of satisfaction was gained from slamming Negroes and Jews, but these are no longer safe targets.)

The exercise of this scapegoating seems to require no respect for facts or logic. The claim that in ancient Greece "the rare consummation of homosexual affairs...was punishable by death" can be refuted by opening almost any page of Aristophanes or a tour of the cellars of our museums where the more explicit Greek vases are kept. (The old canard that the Greeks had stringent legislation rests on no more solid

foundation than some Byzantine interpolations—exposed in 1896—in an oration of Aeschines.) Maloney grandly awards shrink Charles Socarides the title of “perhaps the greatest living expert on homosexual behavior,” but can’t spell his name right. There has never been a newspaper named the *Gay Advocate*. The absurd claim that “gay sexuality in fact is almost wedded to the lavatories”—Maloney’s use of nuptial imagery is revealing—comes right out of the notorious Dr. Rubin, one of the great favorites of the magazine-rack set. Finally, the renegade William Aaron is about as reliable a guide to current gay life as the turncoat Philip Agee is on the CIA.

At the outset Maloney claims to be a closet libertarian who will not “begrudge homosexuals their civil liberties or their privacy.” Yet at the end of his pathetic diatribe he ominously intones: “there comes a time in certain social issues when tolerance becomes spiritual laziness.” Maloney is unfortunately not spiritual, just plain lazy. And should he ever feel the urge to emerge from his closet there are plenty of gay libertarians to turn to for advice.

Wayne Dynes
New York, New York

Stick to Beer

I have rarely read a piece of material in almost any magazine that was as unscholarly, harmful, and bigoted as Baloney’s (maybe his name really is Maloney?) article, “The Lavender Menace” (December). It was full of misstatements, untruths, half-truths, and evidence of ignorance.

Just a few points: The greatest living expert on homosexuality is NOT Socarides—whose publications and research in the field of sexuality are considered naive and incompetent by such people as the American Psychiatric Association—but Dr. Alan Bell, of the (Kinsey) Institute for Sex Research in Bloomington.

Much of what is said in the article can be paraphrased into an anti-heterosexual liberation movement, too. Heterosexuals are generally characterized by a hatred (sexually) of the same sex. Heterosexuals cannot appreciate the full joy of sex because they have to worry about making sure, or not making sure, as the case may be, of having babies. A glance through some equivalent heterosexual literature, including the daily papers, will reveal many, many sick heterosexuals who rape their children, murder each other in jealousy, and are “jaded and tired” of sex with only one other person.

Maybe Maloney and all others involved with *The Alternative* should just stick to getting drunk on “cheap domestic beer,” and give up writing and publishing. I, for one, would be much happier.

Collin C. Schwoyer
Bloomington, Indiana

Mr. Maloney replies:

Arguing with defenders of the dreary “gay” life is a little like contesting with ardent members of the Flat Earth Society. I am not now, nor have I ever been a member of the Grand Inquisitor’s staff. The correspondents (with the exception of Miss Kristol) attacking my “The Lavender Menace” exemplify one species of the intellectual invalidism of our era. At the same time they express moral outrage at my essay, they implicitly deny the validity of intellectual and moral judgments.

The only sin I admit to is misspelling Charles Socarides’ name. That gentleman’s “quack” status, as one letter-writer puts it, consists only in his making the unspectacular point that it is the destiny—biological, cultural, and spiritual—of man and woman to mate with one another, to produce children, and then to nurture them. Civilizations which neglect this point become at one with Nineveh and Tyre.

The compassionate Mr. Schwoyer first makes fun of my name and then finds *me* guilty of bigotry; he says my article is “full of misstatements”—and then he feebly produces a quibble about Socarides’ professional standing, coupled with a fearless denunciation of child molestation, rape, and murder. The rest of his letter exemplifies that hatred of heterosexuality which my article found characteristic of gay propaganda.

Wayne Dynes also sniffs out bigotry in “The Lavender Menace”; if he proceeds to 2121 South El Camino Real in San Mateo, California, he will find the supposedly non-existent gay newspaper, *The Advocate*. Like most militant gays, Dynes clutches the comforting myth about the ancient Greeks’ tolerance of pederasty. As sources, he relies on the Greek versions of Mort Sahl and “Triple-X” movies. For my evidence, I relied upon the un-Byzantine statements of Plato as well as the researches of such scholars as James B. Graves and Will Herberg. Modern scholarship leaves the gays only a few primitive tribes and the limp-wrist set among the Third Reich as connoisseurs of sexual perversion. If readers are dubious about the lavatory setting of the typical gay love-life, I suggest they visit the swishy bars in any large city.

Miss Kristol makes some interesting, arguable points before her essay undergoes a bad case of parallelism-itis. If she wants to make authority a Platonic ideal divorced from social and familial behavior, that is her privilege. However, in many disturbing ways contemporary America is the new Weimar Republic, a point made by Stephen Spender, Lewis Feuer, and Saul Bellow, among others. Finally, I ask her to consider that more societies have atrophied because of a spiritless pseudo-tolerance than have succumbed to the pressures of authoritarianism. The ceaseless “gay” attack upon heterosexuality, the law, and the family uproots those institutions that guarantee our liberties.

My article was not directed against the “private loves” of such as “Name Withheld.” However, homosexuals like him are parasites in that they profit from civilization while they do nothing to ensure the continuance of the race.

Every source I used in writing my essay came out of the open stacks of the University of Georgia library. Gay defenses of “erotic minorities” appear not only in “dirty books” but in such university press productions as Walter Barnett’s *Sexual Freedom and the Constitution*, in which the author argues that we should aid “the sadists and the masochists...the zoophiles, the incest offenders, the necrophiles” in their search for consenting (or deceased) objects who will help them “fulfill their unusual [!] sexual proclivities.”

Since it apparently confused them, the letter-writers ignored my corollary attack upon heterosexual promiscuity. Defenders of homosexuality add to the general confusion about sexual identity which pervades our society. (For a superb discussion of the deleterious effects of gay propaganda on adolescents, see Levine and Shaiova, “Biology, Personalities, and Culture” in *Israel Annals of Psychiatry*, March, 1974.)

A critical assessment of homosexuality, or of any individual or pressure group, is not *ipso facto* bigotry. Too often our society mistakes a lack of moral integrity for tolerance. Libertarianism obviously does not mean intellectual agnosticism on all moral questions. Sidney Hook has rightly said that education for liberty deals with “the ideas and ideals of what is of most worth in life; [it] gives course and direction to experience, and [it] reinforces our awareness of the indispensability of human choice in every moral situation.”

I do not hate homosexuals. But I do see the more militant advocates among them as adding to the prevalence of the “Gary Gilmore syndrome” in our land. In such cases, we are increasingly hesitant either to make moral judgments or to enforce those social responsibilities enshrined in laws that assume individuals are responsible for their acts.

The compulsive libertinism evident in the public statements and (generally) private acts of homosexuals is incompatible with the ordered, family-centered society that undergirds a free people engaged in preserving and protecting our Constitution and our culture.

Defending the Disco

It’s become a ritual of late for the “Great American Saloon Series” to sling opprobrium on singles bars (see contributions by Brian Thomas, November, and Kenneth H. Hedrick, December). But I personally would never drink at any other establishment. No Texas honky-tonk for me; cowboy boots and manure turn my stomach. Truck

stop rock is for the "10-4 Good Buddy" crowd, pubs always smell like Irish Spring soap, and the Holiday Inn-type bars are usually too quiet and cater to middle-aged men with adultery in their eyes.

The disco scene was made for me. Where else can a bottled beer be bought for only \$1.50, after paying a paltry \$3-5 to enter? After all, the recession is over (thank God for peanuts!) and if one *can* afford to spend \$20 for a few hours drinking and dancing, he *should*. The object is to be hanging out with other affluent people, and to see and be seen.

Dancing is the most noteworthy aspect of disco bars. I get excited merely thinking about doing the Bump with some tall, dark, handsome man. And no one forgets the Hustle, both on and off the dance floor. If no tall, dark, handsome man is available, girls can always dance with their best friend or another girl, one more fantastic side effect of the Women's Lib movement.

The actual dance floor itself is a boon to disco bars. Personally, I prefer the highly waxed wooden floor, which makes the sometimes intricate foot maneuvers easier, but much is to be said about the lucite lighted ones. Energy seems to radiate from the building itself, and provides a cheaper drunk. Size is an important factor. For a capacity crowd of 250 people, a ten-by-twelve foot floor will suffice. It's ever so much fun rubbing bodies with strangers. The wonderful, intoxicating mingling of Chanel No. 5, Brut, English Leather, and assorted Avon scents is much better in close quarters, and hides any trace of—heaven forbid—perspiration.

Hitherto unmentioned is FASHION. While most of the under-thirty crowd is seen out and about in blue jeans and Earth shoes, disco bars will not generally allow a person so attired to go in and pick up a six pack to go. Shimmery fabrics, clinging dresses slightly below the knee, and low-cut blouses are hip. For men, a hairy chest is mandatory, so when their shirts are unbuttoned to the navel they won't look completely naked. But that is partially covered by at least eighteen gold chains and a religious medal or two. Occasionally the tragic happens, usually in passionate moments, when all of those chains get caught in a hirsute chest, but a quick shave remedies that. No hand is complete without at least one turquoise ring, and wrists need a silver nail bent into a bracelet. The men all look so masculine when they're dressed up, and I love the Tom Jones look in trousers.

Not to forget the object of the evening is dancing, the eyes move down to behold the shoes. Platform shoes, especially those with shiny, metallic colors, the higher the better, are always chic. While the soles are at least six inches high and rigid, the uppers should be flimsy enough to turn toenails blue in the winter (saves on nail polish), and turn ankles year round. If the shoes have electric lights built in, be sure to check for the UL seal of approval. One

does want to dance under his own power, and not be mistaken for a frenzied Pentecostal preacher.

Special note to women: *Never* order drinks from a waitress. Men, especially the strong, silent types, tend to flock at the bar. This affords what can be compared to choosing a brand of frozen orange juice—look them all over, and pick up the best one to go with breakfast.

So go on thumbing your noses at the singles scene, Messrs. Thomas and Hedrick. But for my money (or yours!) it is an experience well worth having, and one not easily forgotten.

Marsha Tarbert
Havre de Grace, Maryland

Come off it!

The article by Professor Hilton on "Highway Despotism" in the December issue exemplifies one of the more endearing characteristics of *The Alternative*: I never am sure whether or not you are kidding. I can't figure out whether you see the article as a serious contribution to libertarian theory or as a warning against what happens when one takes a useful principle and runs off with it to find where the sky meets the sea. Assuming you, or the author, or both of you, are serious, something further needs to be said.

I've been driving since 1932, in all kinds of circumstances and places, including Los Angeles. I've never been stopped by a traffic officer or given a ticket for anything. Only once a week or so am I ever conscious of having violated a traffic law. Who is that typical driver who violates a rule every 30 seconds? And anyway, the police take unenforceable rules into account; if the speed limit is 50 and almost all the vehicles are moving at 60, the police catch and arrest the few moving at 65 or 70. It has never occurred to me that I have been in danger of random arrest for doing what everyone else does all the time.

If I am ever stopped for a traffic violation, I *want* the officer to be sure that my vehicle is not stolen, that I'm not fleeing prosecution, violating narcotics laws, etc. It is a shame that he cannot force me on suspicion to undergo an immediate and legally binding breath test which can be used as evidence for a DWI prosecution.

Of course speed limits reduce traffic deaths, not just the deaths of the speeders, but the deaths of me and my two small children. And of course it would be safer if all automotive transportation were forbidden. It would be even safer if all transportation were prohibited. What on earth does that prove?

The very idea that the occupation of traffic patrolman attracts people "who want to dominate their fellow man" is ridiculous. I know lots of traffic officers and lots of college professors, and I have a strong opinion about which occupation attracts those who want to dominate their

fellow man—it's not the cops. The analogy with the Soviet secret police is something I would expect to see in a Weatherman publication. Come off it!

As for public policy with regard to highways, Professor Hilton's suggestions, while useful, are not politically practicable. The United States was on the verge of stumbling onto a practical libertarian road policy in the early fifties, when several states such as Oklahoma had begun to build hundreds of miles of toll roads for high-speed intercity travel. Land acquisition problems made it necessary for the government to build the roads, but operation was usually in the hands of authority commissions insulated from ordinary politics, which were expected to meet amortization of construction bonds and operating expenses, plus maintenance sinking funds, from tolls. It might have been possible at a later date to lease the operation of the roads, or even to sell them to private bidders. At the worst, they could have been operated with the efficiency of the average public utility. Republican Eisenhower killed off this promising development with the unfortunate interstate highway program, which ended as a subsidy from the pockets of all to big-city commuters. But even if it could have gone ahead, or be miraculously reborn, the operating companies or authorities would have to police them in order to attract customers, and I suspect their private guards would be as troublesome to Professor Hilton as are today's traffic cops.

John W. Bowling
Troy State University
Troy, Alabama

Drop it

I read with interest in your January "Current Wisdom" the humanitarian suggestion of Mrs. Helen Maguire Muller that the United States drop bags of fertilizers on Vietnam. This particular idea has one serious flaw, however, and I believe it can be improved upon as follows.

Delighted as the Vietnamese peasants would undoubtedly be to receive this "gift from the skies" courtesy of their erstwhile foes, I am sure that this delight would be tempered somewhat should one of the bags land directly on the head of a hard-working farmer. To prevent this possibility, the material should be dropped in bulk form and spread over the entire country.

A further thought has occurred that would vastly increase the beneficence of this compassionate gesture and at the same time alleviate or indeed eliminate forever our own problems with water pollution and over-burdened sewage plants. Human waste, I am told, makes even richer fertilizer than the animal variety. Why don't we simply bundle up our entire "output" and sprinkle it impartially over the verdant acres of Vietnam?

Walter A. Peek
New Rochelle, New York

Ms.

The estimable Miss Letty Cottin Pogrebin unveils another Ms. ukase and laments the infidels who are all around us:

A toy must be:

- Safe
- Made to last
- Respectful of a child's intellect, self-esteem, and creativity
- Nonracist and nonsexist in the way it is packaged, conceived, and planned for play.
- Moral in terms of the values it represents.

This is the Ms. standard, developed over four years of reviewing and testing thousands of toys, games, and crafts. It has guided parents and other buyers of children's gifts, and has been adopted as a checklist for schools and child-care centers all over the country.

What it has *not* done is made a really measurable dent in the overall practices of the \$3 billion toy industry in the United States.

[December 1976]

Seattle Public School System

A helpful missive from the benevolent Dr. David L. Moberly, superintendent of the Seattle Public Schools, to the parents of those fortunate young subjects now undergoing his ministrations in the Seattle Public School System. Hurrah, hurrah for the land of the free and the home of the brave:

Dear Parents:

For a number of years, school districts have been required to identify and record the race of each student. Generally teachers have made this determination by visual observation. New governmental regulations require that we determine the race of students on the basis of parental choice. We must also classify students under five prescribed categories.

In order to comply with these new regulations, we ask that you complete the form on the back of this letter. For most of you, the selection of race will be easy but those of you with Spanish backgrounds or those whose students have mixed ancestry should read the following instructions carefully.

STUDENTS WITH MIXED ANCESTRY: Generally the race of your student is what you think it is and what you want it to be. Perhaps the following questions may be helpful in selecting the proper racial category.

1. *With which race does your family most closely identify?*
2. *What is the main language or culture in your home?*
3. *With which race does your son or daughter identify? (Students 18 years of age or older have the right to identify their own race.)*

We realize that some parents will find it very difficult to designate one race to the exclusion of another, but we have not been able to find an alternate procedure that will meet prescribed reporting standards. If, at any time, you find that the single racial designation works to the disadvantage of your student, please feel free to bring the matter to the attention of the custodian of records of his or her school and every effort will be made to find a reasonable remedy.

HISPANIC CLASSIFICATION: Hispanic (Spanish) is not a race but a combination of culture, language and ancestral origin. To

determine whether your student should be classified as Hispanic, the following questions should be asked:

1. *Does your student have ancestors who considered themselves to be Spanish, Cuban, Mexican, Puerto Rican or of any other Spanish speaking culture nationality and is that Hispanic background important to your family? If so, your student should probably be classified as Hispanic.*
2. *If you decide that your student is Hispanic, which racial subcategory provides the most accurate racial description? You may want to refer to the item on mixed ancestry, above.*

Please mark one of the boxes on the form as accurately as possible and have your student return it to school as he or she has been instructed. The information you have given us will be kept confidential and will not be given to anybody outside this or any other school district without your permission, except as provided by law.

If you have any difficulty in completing the form, please feel free to discuss the matter with a member of your student's school staff.

David L. Moberly
Superintendent

[September 1976]

Washington Star

Miss Jane O'Reilly divulges the results of years of scholarly exertions:

Frankly, women are tired of being cast as madonnas or whores. Several thousand years of Judeo-Christian heritage is enough. We want equal participation, even in sin.

[September 27, 1976]

National Organization for Women

A press release to the New York City media from the renowned National Organization for Women (NOW) booms the scientific activities of one of the more notable members of the new female intelligentsia:

Jan Crawford, feminist writer and massage therapist, will conduct a program on Healing with Massage on Thursday, Oct. 14th, at 7 P.M. in the NOW Center, 47 E. 19th St.

Ms. Crawford's presentation will include a discussion on the problems women have with giving and receiving in addition to a demonstration of massage techniques that are helpful in relieving stress-related ailments such as headaches. Audience participation will be encouraged.

Programs and meetings are held every Thursday evening in the NOW Center, (National Organization for Women).

[October 1976]

Ms.

From the learned pages of Ms., a thought-provoking pronunciamiento that will live through history:

No woman is truly free to be anything until she is also free to be a lesbian.

[November 1976]

Louisville Courier-Journal

News report of an esoteric discourse from The Rev. Leroy Jenkins, faith healer and evangelist:

People criticize him, Jenkins said, because they "are jealous of my success. If I wasn't doing any good, they wouldn't bother me."

Jenkins referred to his detractors on several occasions at his Louisville rally as "liars" and "hypocrites."

"Some old big-mouth in your city sent me a letter telling me he wanted to debate," Jenkins said. "I'm not here to debate a bunch of hypocrites. If he doesn't know the Bible, he ought to get out of the Bible."

"It makes me sick," Jenkins continued. "When you folks up here get sick you just regurgitate, but when we get sick in the South we just plain puke."

[October 28, 1976]

The Progressive

Another enlightening homily from Milton Mayer, pacifist adept:

...the pacifist renounces war as an instrument of personal policy. Saying, "Hell, no, I won't go," but usually without the "hell," he will not injure a fellow man for any reason or under any pretext. Not if he can help it....The pacifist is a socialist, because capitalism is war, setting every man against every other....Middleton Murray, an Englishman, put it (the pacifist challenge) the way an Englishman would put it. In 1939 he said, "If England refused to fight Germany would collapse. Hitler has to have someone to fight, or he's finished."

[November 1976]

Harper's Weekly

An urgent notice published in one of the foremost intellectualoid journals in America. This is serious:

GAY CONSCIOUSNESS

I am doing research on the Gay Awareness Movement and its positive aspects. I would appreciate writings, feelings and approaches to new Gay community "models"; attitudes in consciousness and Gay "lifestyle" and feelings about Gay Liberation being the bridge between feminism and humanism. Please send these to Bob Kunst, 2773 S.W. 34th Ave., Miami, Fla 33133.

[April 5, 1976]

The New Republic

Two paralogistic triumphs of stunning magnitude from the dizzy pen of Mr. John Hersey, whose most recent book is *My Petition for More Space*:

Because the interests of our government have become so intertwined with those of the multinationals, our country's ideals and hopes have been played false by its actual policies and methods...as government must be the servant of our public, not its master, so too must the business community be subservient to government, and not its manager.

[December 11, 1976]

HOOSIER CANTOS

(continued from page 4)

convince our present-day intellectuals that America might at any moment be rushed to the emergency room, gasping for breath, and begging for socialism. Of course at the root of all the Americanos' woes were philistinism, capitalism, and leaden conservatism; but the intelligentsia of the twenties bawled about something more, something that would astonish their successors, yet something they assayed as more poisonous than Judge Gary and all the Methodist hordes—American womanhood. The grumblers of the twenties, says Frederick Hoffman, believed American culture to have fallen under "the almost exclusive custody of women." In the contemporary view of Harold Kuttner the American male was a pathetic victim of "mother-worship," who "becomes everything in his business and nothing in his home."

There you have it, a clean thrust at two of our women's liberationists' most cherished beliefs: a) that American women have always been powerless and, b) that they have historically been victimized by the Chamber of Commerce, the Republicans, and the Boy Scouts of America.

Still, I need not hang my argument on intellectual tirades long obscured by the

sediment of years, for the historical events of the period also support my claim. The twenties witnessed the most feverish imposition of blue laws ever to sweep the country. American provincials sensed the exigency of dispersing the cosmopolitan winds wafting in from Europe for once and for all, and they closed shops on Sundays, censored books, and proscribed licentiousness in all its hellish forms. Furthermore they actually managed to knock the working man's beer schooner from his grip and to clear the shelf of demon rum. This was a show of awesome political clout, and only an historical illiterate will fail to note the large role played by women in all of this noble work. That these laws were abominable I do not doubt, but neither do I doubt that the church-going women and the Women's Christian Temperance Union activists were right in their perception that the spirit of personal liberation and easy-going skepticism spreading after World War I was a threat to their station in American society. The struggle that followed was a furious and confused one, but eventually the modernists put the women to flight.

The liberators of yesteryear were well on their way to deauthorizing American womanhood when they did in the WCTU and the Protestant churches and diminished the importance of the family. Other

phenomena like science and capitalism aided and abetted them, but women's liberationists who allege that their sisters have been kept down by bourgeois males are in error.

Yet this is just one of the galaxy of errors that compose today's women's movement, a movement steeped in such stupendous ignorance that it is impossible to think of it without being reminded of the simian religious tribes of remote Appalachia where the faithful devoutly guzzle strychnine and fondle rattlers. That such a movement is given a moment's serious consideration by educated people is an atrocity and a horselaugh on all those solemn extortionists from the education lobbies who forever have one hand at our throats and another hand in the till—all for the improvement of mankind.

Journalists, they are even more untrustworthy than lawyers, perhaps as vicious as educators. I would not trust the most saintly of the breed. Most of them practice a craft of insinuation, half-truth, and omission. The rest employ the trickiness of hyperbole. Choose for yourself which is more contemptible but which has a better time of it.

classified

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EXTREMELY DESIRABLE EXECUTIVE OPPORTUNITY

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FREE-LANCE ARTISTS AND CARTOONISTS: Your talents are needed to adorn the pages of this journal. Send specimens of your work to: Adam Meyerson, The Alternative, P.O. Box 877, Bloomington, IN 47401.

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WANTED TO BUY: Greek classical texts, preferably bilingual Loeb editions. Send information to: Alison Hadley Graves, 12571 Northwinds Drive, St. Louis, Missouri 63141.

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POSITIONS WANTED

MORE INSPIRING JOB, government or private, law-related or otherwise, sought by conservative-libertarian lawyer, 30, single. B.A. (Psych.) '70, U.C. Berkeley. Phi Beta Kappa; J.D. '74, Harvard, Broad Interests. Skilled in thinking, research, writing. Imaginative, energetic, strong, attractive, patriotic. Consider going anywhere. If you know anyone requiring such a man, please write Box W, The Alternative. Telephone evenings: (415) 771-6014.

MISCELLANEOUS

"DON'T BLAME ME—I WAS FOR REAGAN" bumper strips (vinyl), buttons. \$1.00 each or \$1.50 per set (button and strip). New York YAF, 25 Jane St., New York, N.Y. 10014.

John Dean has *never* worn an Official Alternative Turkey Tee Shirt, but you should. Send \$4.95 for one shirt (\$9 for two and \$4 for each additional shirt) to The Baron, P.O. Box 877, Bloomington, IN 47401. Specify size: medium, large, or extra large.

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Tired of the same old political hacks who want nothing but power? Join an organization dedicated to an ideal. Join the Flat Earth Party. Illustrated membership cards 50 cents each; 3 for \$1; 10 for \$3. Write The Baron, 942 Maxwell Terrace, Suite F, Bloomington, IN 47401. No membership benefits other than cards.

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Why Not The Worst?

Tyrrell's Prose and High Moral Character Judged by Readers Across America

R. Emmett Tyrrell's writing—in *The Alternative*, *Harper's*, *Commentary*, the *New York Times*, and *Newsweek*—always elicits admiring and courteous responses from the *crème de la crème* of American intellectualoids. Hundreds of letters have poured in throughout the year. Here is a sampling of some of the most thoughtful:

"I am appalled..." *Bridgeport, Conn.* "...a new low in journalism." *Boulder, Colo.* "I do not worry about the Emmett Tyrrells of the world. The gutters are crawling with them." *Jenkintown, Penn.* "...the lowest kind of journalistic prostitution." *Calgary, Alberta, Canada.* "...disgusting falsehoods and venomous generalizations..." *Buffalo, N.Y.* "...extremely infantile and vulgar." *Kokomo, Ind.*

"I am appalled..." *Annandale, Va.* "Mr. Tyrrell's article illustrates everything that we at the university so passionately reject." *Edwardsville, Ill.* "...a piece of trash." *Buffalo, N.Y.* "...uses language in an irresponsible and dangerous manner." *Evanston, Ill.* "The article is not only outrageous. It frightens me." *Washington, D.C.* "...an exercise in bad taste." *Toledo, Ohio.* "...neither amusing nor intelligent." *Washington, D.C.* "...flagrantly ignorant..." *Toronto, Ontario, Canada.*

"I am appalled..." *Bozeman, Mont.* "Where does Mr. Tyrrell get his knowledge? From old movies? *Pontiac, Mich.* "...viciously biased..." *Lincoln, Neb.* "...juvenile stereotyping." *Akron, Ohio.* "...without purpose and an insult to minimal intelligence." *Venice, Cal.* "I simply could not believe my eyes." *Oxford, Penn.* "...ugly..." *Worcester, Mass.*



Such thoughtful comments suggest that *The Alternative* is unlikely to become required reading for the sensitive and idealistic of the Republic.

After all, *The Alternative* obstinately defends and admires such quaint values as freedom, democracy, and excellence.

The Alternative is unfashionably skeptical of such trendy pliffles as women's liberation, reform politicians, Ralph Nader, hygiene of any kind, and singles bars.

And *The Alternative's* editor revels in treating venerable world leaders with puckish irreverence. President Carter, for example, "remains adamant in going by the first name of a little boy," and Mao

Tse-tung was, in Tyrrell's eyes, "the pudgiest revolutionary of the century...a plump little butterball."

If you are an aspiring intellectualoid, *The Alternative* is poison. Stick with *Rolling Stone* or *Ontology Today*. But if you hold to complicated views of the world that bustles beyond your nose, if you delight in forming your own opinions, and if you want to know what some of the best writers in America are saying to discomfit some of the most preposterous lightweights, read *The Alternative*, the magazine that appalls.

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THE ALTERNATIVE

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